



# EOIR MORNING BRIEFING

U.S. Department of Justice  
Executive Office for Immigration Review  
By TechMIS

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**Friday, Mar. 1, 2019**

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## Policy and Legislative News

### Senators unveil resolution to block Trump's emergency declaration

[The Hill](#) [2/28/2019 12:25 PM, Jordain Carney] reports senators unveiled a resolution on Thursday to block President Trump's emergency declaration to construct the U.S.-Mexico border wall. Sens. Tom Udall (D-N.M.) and Susan Collins (R-Maine) introduced the resolution on the Senate floor, where it's expected to be taken up within a matter of weeks. The two senators, in back-to-back speeches, stressed that the Senate's vote wasn't about whether a senator supported the U.S.-Mexico border wall or Trump but about maintaining a separation of power between the executive and legislative branches on funding the government. "I support, strongly support, protecting the institutional prerogatives of the United States Senate and the system of checks and balances that is central to the structure of our government," Collins said.

Reported similarly:

[Reuters](#) [2/28/2019 4:04 PM, Susan Cornwell]

[Law360](#) [2/28/2019 8:05 PM, Nicole Narea]

### **Lawmaker deployed to border warns: Pulling out troops will lead to 'massive' illegal immigration**

[Washington Examiner](#) [2/28/2019 4:00 PM, Anna Giaritelli, 629K, DC] reports a Republican congressman who served alongside the National Guard on the U.S.-Mexico border this month is warning that the decision by some states to remove guardsmen will lead to a new wave of illegal immigration that will be "massive" in scale. Illinois Rep. Adam Kinzinger, a lieutenant colonel and pilot in Wisconsin's National Guard, said fewer troops in border states will prompt more migrants who might have applied for asylum at ports of entry or in their home country to instead pay cartels to get them into the United States. He warned that reducing border troops will make it easier for cartels to smuggle them through. "Those people turn around and pay the cartel money and make the journey, and some of them end up getting abandoned by the cartel and abandoned in the desert," Kinzinger said in an interview with the Washington Examiner. "If you secure the border they're going to come here the legal way." "I'm moderate on immigration," he continued. "I just think securing the border is the humane answer." [Editorial note: consult source link for video]

### **Since Trump restricted flow at border, more migrants trying to sneak through undetected**

[NBC News](#) [3/1/2019 4:33 AM, Julia Ainsley] reports that undocumented immigrants are increasingly choosing to cross the U.S. border illegally rather than waiting in line to claim asylum at legal ports of entry, according to U.S. Customs and Border Protection data obtained by NBC News. Immigration lawyers and rights advocates say asylum seekers are opting for illegal crossing because they are growing frustrated with waiting lines caused by Trump administration policies. In recent months, CBP has restricted the number of immigrants who can be processed for asylum at ports of entry and has begun turning back asylum seekers, who must now wait in Mexico while their cases are decided. An official from the Department of Homeland Security said those abandoning legal entry points may not have legitimate asylum claims.

In January, U.S. officials finalized a deal with Mexico that forces asylum seekers who present themselves at the legal port of entry in San Diego back across the border to Tijuana. There they must wait months or years, often in unsafe and unsanitary conditions, while an American immigration judge determines whether asylum can be granted. The policy, known as Remain in Mexico, may soon spread to other ports of entry if Mexico agrees to shelter the immigrants at other locations. Illegal crossers, meanwhile, do not have to wait in Mexico, even if they are caught. Immigration advocates and lawyers say immigrants are being warned about the conditions in cities like Tijuana and are increasingly choosing to risk apprehension by the Border Patrol while crossing into the U.S. illegally instead of waiting in Mexico. Due to a U.S. policy known as metering, only about 40 to 100 immigrants per day are permitted to enter. DHS says metering is a result of only being able to process so many asylum seekers per day, due to limited resources. However, the Trump administration has not increased its manpower for processing asylum claims at the border, though it has increased border enforcement officers and numbers of military troops.

### **Why is the US still separating migrant families at the border?**

[Public Radio International](#) [2/28/2019 11:00 AM, Tania Karas, 121K] reports Mario Perez-Domingo's 2-year-old daughter was taken from him around July 5, more than a week after a

federal judge in California ordered the Trump administration to stop systematically separating migrant children and parents at the US-Mexico border. They'd just arrived in Texas. As Indigenous Guatemalans, the pair's primary language is Mam. But Customs and Border Protection officials interviewed Perez-Domingo in Spanish, which he hardly speaks. He did not understand when a CBP officer accused him of not being the girl's biological father and forging her birth certificate — then took away his little girl. The full scale of the damage from the Trump administration's controversial "zero tolerance" policy is now coming to light in reports, Congressional hearings and court filings. The policy — which prosecuted parents for illegally crossing the border and, in the process, separated families — was halted by a presidential order on June 20, then a June 26 court injunction in California. But Perez-Domingo and his daughter are one of 38 parental separations that occurred in McAllen, Texas, after the ruling, according to a report last week by the Texas Civil Rights Project. And government data released last week shows at least 245 family separations since the policy was halted in June 2018. The new Democratic-controlled House kicked off a series of oversight hearings this month in which Trump administration officials are being grilled for not stopping the implementation of the policy, despite warnings it would traumatize children. Through aggressive and sometimes angry questions, lawmakers have examined the botched rollout of "zero tolerance," who gets to determine a child's best interests and why children are still being taken from parents who have no known criminal history or discernible "fitness" issues. The hearings have revealed some of the murky process in which Border Patrol agents make life-altering decisions for families, even after "zero tolerance" has officially ended.

### **Ankle bracelets, court hearings, no work, homelessness: This is what Mexican asylum seekers face in the U.S.**

[Palm Springs Desert Sun](#) [2/28/2019 9:50 PM, Rebecca Plevin and Omar Ornelas, 36K, CA] reports that the number of Mexican asylum cases adjudicated by U.S. immigration courts has increased by more than 2.5 times since fiscal year 2014. According to Amnesty International, Mexican nationals comprised 80 percent of those seeking asylum in Tijuana before the Central American migrant caravan arrived there in November. Migrant shelter operators in Tijuana said they have seen a pronounced increase in families seeking asylum from Guerrero and Michoacán, which have been hit particularly hard by violence related to the nation's ongoing drug war. About 13 percent of Mexicans seeking asylum in 2018 got it, a lower percentage than for asylum seekers from Honduras, Guatemala and El Salvador. Those who are denied asylum are either deported or granted another form of relief, such as withholding of removal, which prevents deportation but doesn't lead to lawful permanent residence or provide relief for other family members. Citing capacity issues, U.S. immigration officials began "metering" or limiting the number of people allowed to initiate an asylum claim along various parts of the U.S.-Mexico border in 2016, under the administration of President Barack Obama. The San Ysidro port of entry, which connects Tijuana and California, has a capacity of about 300 people at any given time, and U.S. Customs and Border Protection officers at the port can process about 100 asylum seekers each day, "if there is capacity available at the border crossing to hold them," according to Ralph DeSio, a CBP spokesperson in San Diego. He added that the number of asylum seekers that agents can process varies, based on staffing levels, case complexity, medical needs, translation requirements, holding and detention space, overall port volume and ongoing enforcement actions.

### **Yes, There Was Duct Tape: The Harrowing Journeys of Migrants Across the Border**

[New York Times](#) [2/28/2019 4:59 PM, Staff, 20737K] reports for weeks, President Trump has been criticized for exaggerating the brutality experienced by migrant women on the border as he makes his case for a wall. A Rose Garden address in January was only one of the times when Mr. Trump has made the claim: "Women are tied up. They're bound. Duct tape put around their faces, around their mouths. In many cases, they can't even breathe. They're put in the backs of cars or vans or trucks." If the president was suggesting that such savagery occurs daily on America's southern border, then he was indeed exaggerating. News organizations and immigrant advocate groups were quick to express skepticism. Trafficking experts told the news media they had not heard of such an episode. But there is some truth to the president's descriptions of the threat of sexual assault and of women who have been duct-taped and bound. Undocumented women have been duct-taped and tied up before, during and after their migration to the United States, The Times discovered while reporting a story that will soon be published. Maybe not frequently, but it has happened. Human smuggling has grown more and more violent, as border security tightens and as the smuggling of people and drugs becomes costlier and riskier. In this particular kind of border crossing, the smugglers are paid thousands of dollars by the migrants, but the relationship resembles not seller and buyer but prisoner and warden.

**Border chaos: Mom is separated from son, deported, but returns illegally for a reunion a year later**

[Washington Post](#) [2/28/2019 7:00 AM, Michael E. Miller, 9763K] reports the first time Jeny Amador fled Honduras for the United States, she tried to enter the country legally: She presented herself at an El Paso border checkpoint in early 2018 and asked for asylum. Amador instead was separated from her 10-year-old son. When Amador tried to enter the country again in February, she found a shocking about-face. When she and a teenage daughter then crossed the border illegally, they were taken into custody, spent five days in a U.S. immigration jail, and were suddenly released into the United States, setting up a reunion with her son, Isaac. Eight months after President Trump's retreat from a "zero tolerance" approach at the border, asylum-seeking families like Amador's are being released into the United States in growing numbers. Though Trump wanted to end a policy he believes has been a failure -- a policy he calls "catch and release" -- the administration has reverted to that very approach favored under President Barack Obama, as record numbers of migrant families are now crossing the border. Amador experienced both ends of this policy whiplash. Experts say Amador's two interactions with U.S. border policy are emblematic of the confusion and contradictions that have emerged during the past year in the United States, as federal officials have been trying to implement tighter controls over illegal immigration while also pursuing hundreds of miles of border barriers aimed at stemming the flow. Katie Waldman, a spokeswoman for the Department of Homeland Security, said Amador was not separated from her son because of "zero tolerance" but rather because of the smuggling charge.

The American Civil Liberties Union has asked a federal judge in California to force the government to reveal the location of all children who were separated from their parents, including those who remained with relatives or sponsors in the United States, something the government has argued in court will be a monumental task. In more than 200 cases, deported parents made the painful decision to leave behind their separated sons or daughters in the hope that they will have a better life in America. Amador is one of the few to then return to the United States, according to immigration advocates and attorneys. When Amador and her son crossed the Paseo del Norte Bridge connecting Ciudad Juarez, Mexico and El Paso on Jan. 13, 2018, it was three months before then-attorney general Jeff



Sessions would announce a "zero tolerance" policy. Amador asked for asylum, citing death threats from a gang in Honduras because of her political support of the nation's president. Border Patrol agents suspected her of being a smuggler and suggested that she wasn't Isaac's mother, she said. Isaac was sent to a children's shelter in Arizona while Amador was taken to jail and then federal court, where she was charged with "bringing in and harboring aliens," a felony. Though charges were dropped six weeks later, she sat in a federal jail awaiting possible deportation. Isaac was in Illinois, where his uncle had agreed to take him in. Amador was back in an immigration jail, where an asylum officer had found her credible but an immigration judge had refused to give her parole.

### **Join, leave or die: The options indigenous Mexicans face when cartels invade their lands**

[Palm Springs Desert Sun](#) [2/28/2019 5:10 PM, Rebecca Plevin and Omar Ornelas, CA] reports as Mexico's drug war stretches into its 13th year, cartel-related violence is seeping into the most remote corners of Guerrero, a state in southwest Mexico. In extreme situations, entire communities are fleeing violence associated with drug trafficking and warring criminal organizations, leaving behind their homes and in many cases, the land they lived on and worked for generations. Indigenous Mexican communities are more likely to be victims of forced displacement, according to the Mexican Commission in Defense and Promotion of Human Rights. Less than six percent of the country's inhabitants spoke an indigenous language in 2010, according to Mexico's National Institute of Statistics and Geography, yet the human rights commission said indigenous people comprised more than 60 percent of the 20,390 people forcibly expelled in massive displacement events in Mexico in 2017. When indigenous villagers are displaced, they face challenges requesting help, due to language barriers. Angelina Trujillo, an immigration court interpreter who speaks the indigenous language Mixtec, said she has provided interpretation services for many young, indigenous people who fled the mountains of Guerrero and were apprehended by U.S. immigration officials while trying to cross the border without authorization. In 2017, there were 25 episodes of massive internal displacement in Mexico, according to the country's human rights commission. Seven of the 25 displacement episodes occurred in Guerrero, the Mexican state with the most displacement events in 2017, the commission said. Again, displacement disproportionately affected indigenous people. Indigenous Mexicans make up a larger portion of Guerrero's population than the country as a whole, at roughly 13 percent, according to the country's statistics agency, but they make up 61 percent of those displaced in massive events in the state in 2017, the commission said.

Additional reporting:

[Palm Springs Desert Sun](#) [2/28/2019 10:10 AM, Rebecca Plevin and Omar Ornelas, CA]

### **Cotton, Colleagues Introduce Bill to Stop Gang Members Entering U.S.**

[Washington Free Beacon](#) [2/28/2019 1:31 PM, Charles Fain Lehman, 105K] reports Senate Republicans introduced legislation Thursday meant to block gang members from entering the United States or applying for asylum. The bill, largely the work of Sen. Tom Cotton is named Singh's Law, in honor of slain police officer Ronil Singh. Singh, an officer in Newman California, was murdered in December of 2018 by an illegal immigrant with known gang affiliations and two prior DUI arrests. Cotton promised to introduce a measure in honor of Singh earlier this month, as part of a broader commitment to combatting illegal immigration and transnational crime. Now, his proposed law has the backing of Republican colleagues Sens. "Corporal Singh is dead because we failed to secure our border and enforce our

immigration laws," Cotton said Thursday. "This bill is our attempt to honor Corporal Singh's vast sacrifice and ensure our communities are better protected from illegal-alien gang members." If implemented, Singh's Law would prohibit people associated with a criminal gang and previously convicted of a crime from entering the United States. It would also bar illegal immigrants with a gang association from receiving asylum, temporary protected status, a special immigrant juvenile visa, or other forms of protection from deportation. These changes would make it easier for law enforcement to swiftly deport illegal immigrants with gang affiliations, like many members of the infamous gang MS-13.

[River Cities Reader](#) [2/28/2019 4:53 PM, Staff, IA] reports former Senate Judiciary Committee Chairman Chuck Grassley joined Senator Tom Cotton and others to introduce Singh's Law, legislation that would bar foreign nationals associated with a criminal gang and convicted of a crime from entering the United States. The bill would grant the Secretary of Homeland Security the authority to designate criminal gangs under the Immigration and Nationality Act and create a \$200 million federal grant to law-enforcement agencies to combat criminal gangs. The bill is also cosponsored by Sens Marsha Blackburn, Kevin Cramer, and Thom Tillis.

### **DHS extends immigration protection for four countries amid court battles**

[The Hill](#) [2/28/2019 2:19 PM, Rafael Bernal] reports the Department of Homeland Security (DHS) is extending Temporary Protected Status (TPS) for U.S. residents from Sudan, El Salvador, Haiti and Nicaragua, as President Trump's orders to reduce the program languish in court. DHS filed a notice Thursday extending TPS designations for the four countries until January 2, 2020, and the notice will officially be published in the Federal Register on Friday. Under TPS, citizens of certain countries that have undergone natural or man-made disasters are allowed to live and work in the United States while their home nations recover. In some cases, TPS holders have been in the United States for over two decades, with more or less automatic renewals of their status every 18 months. The Trump administration sought to scale down TPS by withholding renewals of country designations, effectively forcing beneficiaries to either find a new immigration status or leave the country. In October, a judge in California blocked the administration from terminating TPS for Sudan, El Salvador, Nicaragua and Haiti, siding with plaintiffs who argued the move was motivated by a pre-determined political agenda. The DHS announcement this week is part of the administration's effort to comply with that ruling.

[Law360](#) [2/28/2019 4:12 PM, Suzanne Monyak] reports that Rep. Lucille Roybal-Allard, D-Calif., will propose legislation in March to carve out a path to citizenship for certain young unauthorized immigrants brought to the U.S. as children as well as for recipients of Temporary Protected Status and Deferred Enforced Departure. Roybal-Allard, who chairs the House Appropriations Committee's subcommittee on Homeland Security, said on Thursday that she would introduce the bill on March 12, describing it as the "2019 version" of the Dream Act, legislation she co-authored that failed to reach the floor last session.

The Trump administration announced its intentions in September 2017 to roll back DACA, which gives work authorization and deportation relief for eligible individuals without lawful status who came to the U.S. as minors, known as Dreamers. The U.S. Department of Justice has refused to defend the Obama-era program against a lawsuit filed by a coalition of states in federal court challenging Obama's authority to implement DACA. However, federal courts in New York and California have temporarily blocked the Trump administration from following through with its plans to end the program while lawsuits

challenging the program's termination are still pending. President Trump has also announced plans to strip several nations of their TPS designations, leaving many longtime U.S. residents who have lived in the U.S. under that status for years suddenly facing possible deportation. And in March 2018, the president said that he would end DED, a work authorization program for a small group of Liberians, over a 12-month wind-down period. That program, initiated in 1999 by then-President Bill Clinton, has offered several thousand Liberians the opportunity to live and work in the U.S. In a memo, Trump said that DED extension was not warranted because "conditions in Liberia have improved."

Additional reporting:

[Washington Post](#) [2/28/2019 8:30 PM, Associated Press]

[Law360](#) [2/28/2019 6:10 PM, Suzanne Monyak]

**[PA] Previously Deported Man Who Raped Child Shows Sanctuary City Is 'Direct Threat,' U.S. Attorney Says**

[Newsweek](#) [2/28/2019 10:58 AM, Jenni Fink, 2656K, NY] reports United States Attorney William McSwain used a recent case of an undocumented immigrant who raped a 5-year-old girl as evidence that Philadelphia's sanctuary city policy threatens its residents' safety. Juan Ramon-Vasquez, an undocumented immigrant, pleaded guilty to illegal re-entry after deportation and on Tuesday, Judge Nitza Quiñones Alejandro sentenced him to 21 months in prison. Following the completion of his sentence, he will be turned over to federal custody and deported. "The facts of this case illustrate all too well the direct threat to public safety caused by the City of Philadelphia's sanctuary city policies," McSwain said. In 2009, Ramon-Vasquez was deported and sent back to his home country of Honduras, according to the Department of Justice. He once again entered the United States and in 2014, the Department of Homeland Security's Immigration and Customs Enforcement discovered he was in the country. At the time of the realization, Ramon-Vasquez was in the custody of the Philadelphia Department of Prisons, but he was released despite ICE issuing a detainer. Ramon-Vasquez was arrested in 2017 and charged with raping his girlfriend's 5-year-old daughter, according to Philly.com.

**[TX] Trump policy that sends asylum seekers back to Mexico is about to be expanded to Texas**

[Dallas Morning News](#) [2/28/2019 7:55 PM, Alfredo Corchado, 437K, TX] reports that plans to dramatically expand the Trump Administration's controversial "Remain in Mexico" policy are expected any day, paving the way for what critics say will be thousands of migrants left in limbo on the border. Migration Protection Protocol, also known as Remain in Mexico, went into effect as a pilot project at the Tijuana-San Diego border in December to serve as a deterrent by forcing Central America migrants to return to Mexico pending the outcome of their legal petitions, a process that can take months, if not years. The effects of Remain in Mexico -- an increasing number of migrants stuck on the Mexican side of the border -- are likely to be complicated by Trump's so-called metering system, which sets daily limits to the number of people allowed to present their asylum claims at legal ports of entry. The lower numbers not only discourage migrants from seeking asylum at U.S. legal ports of entry, but also are leading many migrants to attempt crossing the border in remote, dangerous areas, often with the help of smugglers. Already, migrant shelters on both sides of the border are packed and crime is on the rise in Juarez. Mexico's Interior Minister Olga Sanchez Cordero called Trump's policy on the northern border a "unilateral" decision and focused her remarks on what she called Mexico's President Andres Manuel Lopez Obrador's



humanitarian approach of providing temporary visas to incoming migrants at its southern border. Since mid-January, she said, more than 13,500 Central American migrants have registered in a "safe, orderly and regulated" fashion. She projects as many as 700,000 Central Americans, including Nicaraguans, could end up migrating to Mexico each year because of lack of economic opportunities in Central America's so-called Northern Triangle.

**[TX] El Paso County commissioners meet to discuss aid for asylum seekers**

[KFOX](#) [2/28/2019 2:39 PM, Portia Baudisch and Adriana Candelaria, 16K, TX] reports El Paso County commissioners are meeting Thursday to discuss if the county will be doing anything to assist with the increase in refugees seeking asylum in El Paso. On Monday, county commissioners heard from leaders of local migrant advocacy groups about the need for assistance with the influx of refugees. Ruben Garcia, executive director of Annunciation House, said the organization received over 3,600 migrants in the last week, which is the most the organization has ever received in a single week. Fernando Garcia, executive director of the Border Network for Human Rights, recommended to the commission that El Paso County invest in welcome centers for the migrants, and create a county department responsible for helping the migrants. Commissioner David Stout says he sees the need for government assistance with caring for these refugees and says he thinks the county should consider helping with transportation, possibly building a shelter, and the creation of a department he calls the Office of New Americans that would have the sole responsibility of helping migrants. If they decide to move forward with his ideas, taxpayers will be responsible for at least some of the cost.

**[TX] Border gates bring concerns, but some say they will deter smugglers**

[Bristol Herald Courier](#) [2/28/2019 10:10 AM, Jeremy Schwartz, TX] reports as U.S. Customs and Border Protection moves forward on plans to build nearly 90 miles of new border fence in the Rio Grande Valley, construction is already underway on what will be dozens of large border wall gates that some fear will hinder the public's access to wildlife preserves and the migration of threatened and endangered species. In 2017, Congress approved funding for 35 gates in the Rio Grande Valley to plug gaps in existing fencing, often at roads or entrances to wildlife refuges, agricultural land or private property. Sonia Najera, program manager at the Southmost Preserve in Brownsville, said she is unsure what the impact will be on operations, especially for visiting researchers. She said she's been told that staffers would be getting training on using access codes and that Customs and Border Protection would consider the possibility of leaving the gate open during business hours. As with border fence construction, the Homeland Security Department has waived dozens of environmental and other laws to allow for "expeditious" construction of the gates. Critics say the gates will further restrict the movements of migratory animals that pass through the Rio Grande Valley.

**[NM] ICE agents no longer allowed access to inmate information**

[KOAT 7](#) [2/28/2019 7:41 AM, Sasha Lenninger, NM] reports Bernalillo County is now more "immigrant-friendly" after commissioners passed a resolution Tuesday night, that's according to county commissioners. Commissioner Steven Michael Quezada proposed a resolution strengthening the county's non-discrimination policies. The resolution would not allow Immigration and Customs Enforcement agents to access information on inmates in the Bernalillo County jail. Agents would need a federal warrant to access any information. Action 7 News did reach out to ICE. They sent us this statement: "Deportation officers with U.S. Immigration and Customs Enforcement's (ICE) Enforcement and Removal Operations

(ERO) routinely visit Bernalillo County's Metropolitan Detention Center (MDC) to review jail records, which are public record. These officers, who are members of ICE's Criminal Alien Program (CAP), conduct checks on 100 percent of newly arrested individuals to identify removable aliens following their criminal arrest or criminal conviction. Once these removable aliens are identified, ICE deportation officers place immigration detainers, which request that local authorities inform ICE before these individuals are released for any reason. This commonsense intergovernmental cooperation helps ICE enforce U.S. immigration laws while also improving public safety by ensuring that criminal aliens are not released to the streets where they can continue to victimize our local communities. Since MDC currently does not honor ICE detainers, preventing ICE's access to MDC's on-site public files would further hinder ICE's public-safety efforts."

[Connecticut News-Times](#) [2/28/2019 6:52 PM, Staff, 26K, CT] reports a county commissioner says New Mexico's largest jail says staff members violated its rules by alerting U.S. Immigration and Customs Enforcement officers when specific prisoners were released. The Albuquerque Journal reported Wednesday that records department employees at the Metropolitan Detention Center in Albuquerque acted in response to requests from ICE. A jail spokeswoman could not say how many times information was shared or when the most recent communication occurred, but called it "extremely rare." The interactions between jail personnel and ICE came to light after the Bernalillo County Commission passed a nondiscrimination resolution on Tuesday. The commission chair said sharing inmate information with ICE breaches county policy.

### **[CA] Exclusive—California Refused 5.6K Requests to Turn over Criminal Illegal Aliens to Federal Officials**

[Breitbart](#) [2/28/2019 2:48 PM, John Binder] reports in an exclusive interview with SiriusXM Patriot's Breitbart News Tonight, Immigration Reform Law Institute (IRLI) Executive Director Dale Wilcox revealed that within a 27-month period, the state of California had failed to honor about 5,600 Immigration and Customs Enforcement (ICE) detainers which are the holds ICE agents file to local jails and police to request that an illegal alien be turned over to them for arrest and deportation. Of these 5,600 failed ICE detainers, more than 3,400 were lodged against an illegal alien who had been classified "level 1" and "level 2" offenders — meaning that these illegal aliens had been charged with crimes like homicide, kidnapping, sexual assault, robbery, aggravated assault, drugs, and fraud. About 250 of the ICE detainers not honored had been filed to Napa County and Sonoma County law enforcement officials. IRLI researchers said records after the passage of California's sanctuary state policy are likely to show an increased number of cases where local jails and law enforcement officials refused to turn criminal illegal aliens over to ICE. Wilcox said Americans' lives are being put at risk in sanctuary cities and sanctuary states like California, all so that Democrats are able to import potential voters.

## **Legal News**

### **Immigration Matters: A fairer process is needed for those seeking entry to the United States**

[ABA Journal](#) [3/1/2019 1:01 AM, Bob Carlson, 33K] reports that despite the countless ways that immigrants have advanced our country and have helped to fuel innovation and growth, the United States cannot welcome everyone who yearns to breathe free. The ABA has suggested guidelines and compiled thoughtful and well-researched publications such as the

recently updated "Standards for the Custody, Placement and Care; Legal Representation; and Adjudication of Unaccompanied Alien Children in the United States." Immigration courts lack the safeguards that other parts of our justice system have. Structural and procedural issues have resulted in a backlog of more than 800,000 cases even though in recent years Congress has added resources. Restructuring the immigration adjudication system into an Article I court is the best solution to promote independence, impartiality, efficiency and accountability. Article I legislative courts are established by Congress, and judges would only be subject to removal for cause and not without judicial review. The U.S. Tax Court—where judges are nominated by the president, confirmed by the Senate and serve terms of 15 years—could act as a model. Access to counsel and legal information are critical in ensuring fairness and efficiency in the immigration system, yet only 37 percent of people in removal proceedings and just 14 percent of those detained are represented by counsel. The ABA supports the right to appointed counsel for vulnerable populations in immigration proceedings, such as unaccompanied children, and mentally ill and indigent immigrants.

### **[MA] Lawsuit Alleges Employer Retaliated Against Undocumented Worker By Triggering ICE Arrest**

[WBUR](#) [2/28/2019 5:10 PM, Shannon Dooling, MA] reports an undocumented construction worker who was arrested by ICE after filing a worker's compensation claim two years ago was unlawfully retaliated against by his Boston-based employer, the U.S. Department of Labor said in a complaint filed Wednesday in Boston's federal court. The DOL further asserted a Boston police sergeant was involved in the employee's arrest by ICE. Two months after reporting an injury he incurred in March 2017, Jose Martin Paz Flores, who is in the country without documentation, was arrested by ICE after leaving a meeting at the Tara Construction offices. Attorneys for Flores feared the timing of the arrest suggested cooperation between the employer and ICE. According to the complaint, Pedro Pirez, who runs Tara Construction, allegedly initiated the law enforcement investigation of Paz in 2017. Pirez contacted Boston Police Detective Juan Seoane shortly after Paz reported his injury, the complaint said, asking the detective to look into Paz's identity and providing the detective with identifying information for Paz. Seoane then contacted Boston Police Sergeant Detective Gregory Gallagher, who was on a "joint ICE/Boston Police Department task force," the documents alleged. The complaint further laid out a case of collaboration between Boston police and ICE. Paz is due back in immigration court this year. Attorneys for Paz said he has options to halt the government's efforts to deport him to his native Honduras.

### **[FL] Somali "Slave Ship" Detainees Sue South Florida ICE Detention Center for Religious Discrimination**

[Miami New Times](#) [2/28/2019 9:10 AM, Jerry Iannelli, 66K, FL] reports the Glades County Detention Center, a prison facility about two hours northwest of downtown Miami, nearly had to close in 2014. It wasn't getting enough inmates to justify its existence. The county jail found a new cash cow in Donald Trump, whose deportation crackdown has kept Glades County jail guards employed and provided a nice return on investment to the Wall Street firm backing the jail. But while Glades County Sheriff David Hardin has praised Trump for sending more Immigration and Customs Enforcement detainees to his facility, the detainees themselves have been miserable. Refugees claim they've been beaten, denied vital medical treatment, and wantonly pepper-sprayed into fits of choking and gagging. Now, Muslim detainees are suing Hardin and the detention center in federal court, claiming the center is intentionally preventing them from practicing their faith. This is not the first time these

detainees have voiced their concerns publicly. In December 2017, ICE shackled 92 Somali detainees into an airplane, took off from Louisiana, stopped in Senegal, and then turned around and flew back to Miami. They remained shackled inside the plane for 48 hours. Some even said they were beaten on the plane or forced to relieve themselves in their seats. Doctors reported that some of the men returned to Miami with serious injuries. Some went to the Krome Processing Center in Miami-Dade County. ICE sent others to Glades, where they say they have been routinely abused by Hardin's staff.

**[IL] Niles Township to Offer Free Legal Services to Immigrants Starting in April**

[Chicago Tribune](#) [2/28/2019 10:25 AM, Dave Silbar, 1740K, IL] reports Niles Township Government will partner with two legal aid clinics who will provide free consultation beginning in April at the township building located at 5255 Lincoln Ave. The North Suburban Legal Aid Clinic will be offering monthly immigration legal aid the first Wednesday of every month, from 9 a.m. -- 1 p.m., beginning April 3rd. The clinic includes a full range of immigration services, including citizenship, green card applications, asylum and removal defense. The Chicago Legal Clinic will also be offering monthly immigration legal aid the fourth Friday of each month, from 1 p.m. -- 5 p.m., beginning April 26th. Immigration services include family based petitions, adjustments, consular processing cases, removal of conditions on marriage based permanent resident cards, waivers, naturalization, VAWA cases, U visas and deportation defense.

**[AZ] Migrant mom sues over toddler's death after detention**

[U.S. News & World Report](#) [2/28/2019 6:26 PM, Nomaan Merchant] reports the mother of a migrant toddler who died shortly after being released from the nation's largest family detention center sued the tiny Arizona city on Thursday that for years was paid by the U.S. government to run the facility in name only. The lawsuit from Yazmin Juarez of Guatemala alleges that her 1-year-old daughter, Mariee, developed a respiratory illness at the South Texas Family Residential Center in Dilley, Texas, and medical staff provided inadequate treatment before releasing her three weeks later. The lawsuit targets Eloy, Arizona, which collected \$438,000 a year from U.S. Immigration and Customs Enforcement to officially run the Texas facility for four years even though the city is roughly 900 miles away. Eloy then paid the private prison operator CoreCivic to operate Dilley, in an arrangement questioned by ICE's own lawyers. Mariee's death in May underscored the complaints advocates have long had about medical care for detained immigrants, as the Trump administration has sought to detain more migrant parents and children for longer times.

U.S. Immigration and Customs Enforcement declined to comment on Juarez's lawsuit, but said it takes the welfare of detainees "very seriously." "ICE is committed to ensuring the welfare of all those in the agency's custody, including providing access to necessary and appropriate medical care," the agency said. The lawsuit alleges that Mariee developed a severe fever a week after entering Dilley on March 5, 2018. As her mother repeatedly tried to seek medical treatment, the lawsuit alleges medical staff at Dilley misdiagnosed Mariee's illness and did not prescribe the correct medication, before releasing both mother and daughter on March 25 and clearing them to travel. Juarez took Mariee to an emergency room almost immediately, the lawsuit alleges. She remained hospitalized for the rest of her life, dying in May. U.S. Immigration and Customs Enforcement opened the facility in 2014, during the administration of former President Barack Obama, so it could detain more parents and children together during a previous surge of migrant families trying to enter the United States.

Reported similarly: [Huffington Post](#) [2/28/2019 5:41 PM, Angelina Chapin, 6834K]

## Enforcement News

### **ICE Says 28 Women Potentially Miscarried In Custody Over The Past Two Years**

[Bustle](#) [2/28/2019 5:15 PM, Seth Millstein, 2683K] reports according to a report in the Arizona Republic, dozens of women may have miscarried while in ICE's custody over the last two years. In a statement to Bustle, ICE confirms that during fiscal years 2017 and 2018, up to 28 women "may have experienced a miscarriage just prior to, or while in ICE custody." In 2016, the Obama administration issued a memo clarifying that "absent extraordinary circumstances or the requirement of mandatory detention, pregnant women will generally not be detained by ICE," the Arizona Republic reported. The Trump administration withdrew that memo at the end of 2017, clearing the way for the immigration enforcement agency to detain pregnant women as it would any other undocumented immigrant. ICE says in its statement to Bustle that between Oct. 1, 2017 and Aug. 31 2018, the agency detained 1,655 pregnant women. ICE's current policy requires immigration officials to ensure that "pregnant detainees receive appropriate medical care." However, BuzzFeed News reported in July that this directive was not being carried out, and quoted four women detainees who say they were denied medical care in ICE's custody while they were "obviously miscarrying." In April 2018, after it was reported that ICE had resumed detaining pregnant women, a group of over 250 civil and reproductive rights organizations wrote a letter to then-acting ICE director Thomas Homan asking him to reconsider the policy.

### **[MA] She knocked a MAGA hat off a man's head in a Mexican Restaurant. Now she could be deported.**

[Washington Post](#) [2/28/2019 2:14 PM, Katie Mettler, 9763K] reports two weeks ago in Massachusetts, a woman from Brazil was arrested for allegedly accosting a man wearing a "Make America Great Again" hat while he ate at a Mexican restaurant. Rosiane Santos, 41, was recorded on video swatting the hat off the man's head and later told police she didn't believe he should be allowed inside a Mexican establishment while touting President Trump's MAGA refrain, according to a report from the Falmouth Police Department. Santos, who was intoxicated, was arrested on charges of disorderly conduct and simple assault and battery -- both misdemeanors -- and escorted from the restaurant. On the way out, she hit the man a final time and swatted at his hat. Santos's bail was set at \$40 and she was released. Now, Santos -- who is living in the U.S. without legal documentation -- also faces possible deportation. Immigration and Customs Enforcement deportation officers from the agency's fugitive-operations team detained Santos on Tuesday, an ICE spokesperson said in a statement. The woman was released from ICE custody and entered into removal proceedings in federal immigration court, the official said. She is expected to appear in court at a future date. John Mohan, an ICE spokesman for the New England region, told The Post that "ICE does not publicly discuss intelligence and research tools and methods that our agents and officers may use in their work." Santos's attorney, Katarina Kozakova, told Boston.com that Santos is married to a U.S. citizen and is waiting for her green card to be approved. ICE's involvement in her case means her green-card application now will be reviewed by an immigration judge, rather than Citizenship and Immigration Services, Kozakova said.



Reported similarly:

[FOX News](#) [2/28/2019 2:48 AM, Associated Press]

[National Review](#) [2/28/2019 9:14 AM, Jack Crowe, 433K]

### **[NY] Deportations Soar 150 Percent in NYC: Stringer**

[Forum](#) [2/28/2019 10:11 AM, Staff, NY] reports deportations by U.S. Immigration and Customs Enforcement officers in NYC skyrocketed by 150 percent between the final year of the Obama administration (FY 2016) and the first full fiscal year of the Trump administration (FY 2018)—from 1,037 to 2,593, according to a new report released on Thursday by City Comptroller Scott Stringer. "The Demographics of Detention" also found that overall ICE arrests are up 88 percent in the five boroughs—the third highest increase of any major city in the U.S., with Queens now home to half of all immigration court proceedings in NYC. Additionally, deportations of individuals with no criminal convictions rose even more between FY 2016 and FY 2018, going from 313 to 1,144, or a 265.5 percent rise—the largest increase of any ICE field office in the country", the comptroller said. The report also made a number of recommendations, including: the City should work toward providing truly universal representation for individuals in immigration proceedings by expanding existing funding for legal services and removing the criminal carve-out that restricts certain immigrants' access to City-funded services; and the State should move to restrict immigration enforcement operations in and near New York courthouses by enacting the Protect Our Courts Act.

Reported similarly: [Queens Chronicle](#) [2/28/2019 10:30 AM, Ryan Brady, 3K, NY]

### **[VA] Richmond father detained by ICE for 2 years reunites with family**

[El Tecolote](#) [2/28/2019 4:00 PM, Staff, CA] reports that after being detained for more two years by ICE, Raul Reyes Lopez was finally reunited with his family on the night of Feb. 19. Originally from Guatemala, Reyes had been living in Richmond, CA with his family when he was detained. "After intensive advocacy from our organizing partners and litigation in federal court and the immigration court Raul has finally be reunited with his family and community," Daniel Werner, Lopez' lawyer from Dolores Street Community Services in San Francisco, told El Tecolote. Lopez was detained by ICE following his arrest for a DUI in 2016. Family and community partners, including the California Immigrant Youth Justice Alliance, helped raise \$25,000 to pay Lopez's bond. Now free, Lopez has begun the process to remain sober, entering an inpatient alcohol treatment program and attending AA meetings. "He finally has the opportunity to pursue effective programs to support his rehabilitation—an opportunity that he was denied previously due to the dearth of programs available for individuals subject to civil immigration detention," Werner said. "We hope that Raul's case will have a broader impact on individuals in similar situations, who are seeking to pursue rehabilitation, but are unjustly detained in violation of their constitutional rights. We also hope that the case will serve to educate the public about the injustices and inhumanity of the immigration detention system and the realities faced by those impacted by it."

### **[FL] Venezuelan family facing deportation seek help from Rubio, Scott**

[FOX 13 News](#) [2/28/2019 11:29 PM, Natalia Verdina, 62K, FL] reports that a Venezuelan family living in Tampa is hours away from finding out their fate. The family of four is desperately trying to stay in the United States, given the hostile political situation in

Venezuela. The couple fled their hometown of Maracaibo in 2014 and entered the United States with tourist visas. They filed for asylum shortly after, but their request was denied. The couple's daughter, who is two years old, was born in the United States and is therefore a U.S. citizen. This complicates the matter, because if the family is deported, she would need a Venezuelan visa in order to enter the country. Paul Palacios, an immigration lawyer representing the family, said it is within the realm of possibilities that the little girl be separated from her parents, if they are sent back to Venezuela. A deportation order was set for Tuesday, but Palacios contacted senators Marco Rubio and Rick Scott. The senators' intervention extended the deadline for a few more days. Palacios said at this point his clients are hoping to get a six month to a one year extension to stay in the United States.

**[MI] Grand Rapids police captain placed on leave over ICE incident**

[Michigan Live](#) [2/28/2019 11:01 AM, Justin P. Hicks, 480K, MI] reports a senior command member of the Grand Rapids Police Department has been placed on paid administrative leave while the city's labor relations office looks further into an incident from late last year. Earlier this week, a group of community members and the American Civil Liberties Union accused Capt. Curt VanderKooi of racial profiling in November 2018 when he contacted U.S. Immigration and Customs Enforcement officers to check the status of a man arrested by local police. VanderKooi was off-duty on Nov. 21 when he emailed an ICE agent after seeing news reports of the arrest of Jilmar Ramos-Gomez, who is a Grand Rapids native, U.S. citizen and Marine veteran. After 24 days in the Kent County Jail, Ramos-Gomez was released from the jail and then detained by ICE for three additional days, until an immigration-law attorney provided ICE with documents showing his citizenship. A Grand Rapids Police Department Internal Affairs Unit review found that VanderKooi was justified in contacting ICE, based on his determination that the incident resulting in Ramos-Gomez's arrest met the criteria for a potential act of terrorism. The review also found that VanderKooi violated department policy against using prejudiced words concerning race or national origin, when he used the term "loco" in his communications with ICE agents. On Thursday, Feb. 28, City Manager Mark Washington announced that Kiddle had placed VanderKooi on paid administrative leave while the Internal Affairs Unit and the city's Labor Relations Office review the captain's discipline.

Reported similarly:

[Detroit Press](#) [2/28/2019 11:58 AM, Associated Press, MI]

[WVPE 88.1](#) [2/28/2019 12:29 PM, Dustin Dwyer, IN]

**[MI] Deported Lincoln Park father faces another year away from family**

[Detroit News](#) [2/28/2019 11:33 AM, Maureen Feighan, 164K, MI] reports Cindy Garcia, son Jorge Jr., husband Jorge and daughter Soleil in happier times. A Lincoln Park father of two, deported to Mexico after living in the United States without issue for nearly three decades, will have to spend at least another year away from his family as he awaits a waiver to return to the United States. Jorge Garcia, 40, had a meeting with the American consulate in Juarez, Mexico earlier this month but he'll now need to apply for a pardon, or waiver, before he's able to obtain a visa to return to the United States. The waiting time to receive a waiver is about a year, said his wife, Cindy Garcia. Jorge Garcia was deported on Martin Luther King Jr. day in 2018 after several attempts to stay in the United States failed. He came to the United States as a 10-year-old, one year too old to qualify for protection under Deferred Action for Childhood Arrivals. He's now living with an aunt outside Mexico City. His attorney, Mayra Lorenzana-Miles, said in order to get a visa, Garcia will need two waivers -- one for

the unlawful presence that he had in the United States, and another as a provision to reapply after being deported. The official waiting time to obtain a waiver is now 11-14 1/2 months, according to the facility that processes the waivers, said Cindy Garcia. He'd tried to obtain citizenship but a trial in Detroit's immigration court failed as did an appeal.

**[MI] ICE arrests 3 after release from Kent Co. custody**

[FOX-TV 17](#) [2/28/2019 4:55 PM, Staff, 43K, MI] reports three people were arrested by U.S. Immigration and Customs Enforcement agents after being released from custody in Kent County while having a detainer in place. An ICE release says two people previously deported from Mexico were released from custody: one for a DUI and the other for operating while intoxicated. A person suspected to be in the country illegally from Honduras was also released after being arrested by Kent County detectives on a charge of assault with intent to murder. In December, Kent County Sheriff Michelle LaJoye-Young said the sheriff's office will only hold prisoners for ICE if presented with a federal warrant. ICE says Congress hasn't established a process or expectation saying it should seek a federal warrant before taking someone into custody for immigration violations. "This idea is simply a figment created by those who wish to undermine enforcement and excuse the ill-conceived practices of sanctuary jurisdictions that put politics before public safety," an ICE statement says.

**[TX] 7K Migrants Apprehended in One Week in Texas Border Sector**

[Breitbart](#) [2/28/2019 4:20 PM, Bob Price, 2015K] reports U.S. Border Patrol agents in the Rio Grande Valley Sector reported apprehending nearly 7,000 migrants in a single week who illegally crossed the border from Mexico into Texas. The Rio Grande Valley Sector is ground zero for the influx of migrants illegally crossing the border between ports of entry. The sector accounts for the largest percentage of all migrant apprehensions for all of the migrants apprehended in the nine southwest Border Patrol sectors, according to information provided by Border Patrol officials. On Wednesday alone, RGV Sector agents apprehended more than 1,300 migrants -- marking the second time in as many weeks this milestone has been achieved, officials stated. Reports indicate that a majority of the migrants apprehended in the RGV sector are family units and unaccompanied minors from Central and South America. The massive number of apprehensions and the associated time required for Border Patrol agents to process and medically clear each of these migrants greatly impacts the sector's resources normally utilized for carrying out the border security mission of the region. During the first four months of Fiscal Year 2017, RGV agents apprehended 77,549 migrants who illegally crossed the border between ports of entry, according to the January Southwest Border Migration Report. This represents an average of 630 migrants apprehended per day.

**[TX] Consul: Woman who delivered stillborn baby released by ICE**

[Washington Post](#) [2/28/2019 3:43 PM, Associated Press, DC] reports that a Honduran government official says a woman who delivered a stillborn baby while in custody last week has been released from detention. Ana Bulnes Larios, the Honduran consul based in McAllen, Texas, says she had spoken to the 24-year-old woman. U.S. Immigration and Customs Enforcement says the woman was released Tuesday. ICE said Monday that the woman went into premature labor on Feb. 22, shortly after complaining of abdominal pain at the Port Isabel Detention Center in South Texas, where the agency had been processing her for release. Officials at the detention center immediately responded when she said she was having pain. The consul said Thursday that the woman is now with relatives in the U.S.

### **[TX] 9 babies detained by US authorities**

[MSN](#) [3/1/2019 1:37 AM, Amanda Holpuch, 49830K] reports that at least nine infants under the age of one are being held in a Texas immigrant detention facility, according to a complaint filed Thursday with the US Department of Homeland Security that warned of an "alarming increase" in how many infants are detained. One of the infants turned six months old in DHS custody at the South Texas Family Residential Center in Dilley, where the infants and their families are receiving legal support from the Dilley Pro Bono Project. The group's advocacy coordinator, Katy Murdza, said they started noticing infants under the age of one were being held last week. Murdza said last year there was an incident where five infants were detained. In the past two weeks, there were 11 infants in detention at one time, though two of the children have since been released. At least one of the infants has been detained for more than 20 days, according to the complaint. Under the Flores agreement, it is illegal to hold a child in immigration detention for more than 20 days, though the Trump administration has attempted to modify that rule. In the complaint, the coalition said it had "grave concerns" about the medical care available at the facility for this vulnerable population, in part because of previously documented delays in detainees receiving medical attention and a lack of appropriate follow-up treatment. ICE said in a statement that the agency provides "comprehensive medical care" to all detained individuals, including registered nurses, licensed mental health providers, a physician and dental care. It said: "ICE is committed to ensuring the welfare of all those in the agency's custody, including providing access to necessary and appropriate medical care."

Reported similarly:

[Arizona Republic](#) [2/28/2019 7:58 PM, Daniel González, 695K, AZ]

[ThinkProgress](#) [2/28/2019 8:15 PM, Rebekah Entralgo, 402K]

[BuzzFeed](#) [3/1/2019 9:18 PM, Adolfo Flores, 8149K]

### **[CO] Democrats Probe ICE About Medical Conditions at Aurora Detention Facility**

[Westword](#) [2/28/2019 1:54 PM, Conor McCormick-Cavanagh, 106K, CO] reports ten Democratic members of Congress sent a letter today, February 28, to Immigration and Customs Enforcement demanding answers about a spate of infectious disease outbreaks at detention facilities across the U.S. The letter, penned by Congressman Jason Crow and signed by nine of his colleagues, specifically asks about ICE's protocol for handling infectious disease outbreaks and providing medical treatment to detainees at the facilities. Crow's district includes the Aurora immigration detention facility, which has seen at least three disease outbreaks since last year. "One of the fundamental responsibilities of Congress is oversight of federal agencies and yet ICE has left us in the dark. Our communities deserve to know that ICE is taking action ASAP to handle this outbreak and get this under control. A lack of transparency does nothing to calm fears," said Crow in a statement about the letter. The letter also notes that although the immigration detention facility in Aurora, which private prison company GEO Group runs via a contract with ICE, recently expanded by 432 beds, there is no indication that the facility has increased the number of medical professionals on staff, which includes just one physician. Starting last fall, detainees in Aurora have been quarantined for confirmed cases of mumps and chicken pox. At one point in February, more than 250 detainees were under quarantine. On February 20, Crow and Aurora city councilwoman Allison Hiltz attempted to tour the facility but were denied access. In response to Crow's visit, ICE said that it is open to hosting politicians and journalists who schedule visits. Following the February 20 press conference, Crow sent a letter to the Department of Homeland Security similar to the one he sent ICE today.

**[NM] Nearly 200 illegal immigrants apprehended crossing border in New Mexico**

[FOX News](#) [2/28/2019 2:48 AM, Lucia I. Suarez] reports federal border agents patrolling the southern border in New Mexico apprehended 180 illegal immigrants early Tuesday as the group was trying to cross into the U.S. from Mexico. U.S. Customs and Border Protection said the group – like many they have seen in recent months – was comprised primarily of Central American families and unaccompanied minors. They were detained near Sunland Park, New Mexico. The agency said the Sunland Park Emergency Medical Service responded to the scene to provide medical attention to some of the people apprehended. An undisclosed number were transported to a local hospital for additional medical attention. "This is a situation that Border Patrol Agents continue to face in southern New Mexico: hundreds of parents and children being encountered by agents after having faced a dangerous journey in the hands of unscrupulous smugglers," the agency said in a statement. "This is the second group of more than 100 people since the beginning of the fiscal year in the Sunland Park area."

**[NM] Officers: 67 immigrants found in New Mexico stash house**

[Greater New Milford Spectrum](#) [2/28/2019 5:52 PM, Staff, CT] reports authorities say dozens of immigrants, including several teenagers, have been found at a stash house in southeastern New Mexico. Authorities said Thursday that 67 Guatemalan and Ecuadorian immigrants were discovered earlier this week in Dexter by deportation officers and special agents from U.S. Immigration and Customs Enforcement. The stash house in Dexter – about 230 miles northeast of the border city of El Paso, Texas -- consisted of a wooden addition attached to a travel trailer with no working toilet. Special agent Jack Staton described the conditions as deplorable. Authorities say the location was being used by a smuggling organization and that the investigation is ongoing. In a federal criminal complaint, 38-year-old Tomas Miguel Mateo of Guatemala is charged with harboring the immigrants and with unlawfully re-entering the United States after having been previously deported.

**[AZ] Immigrant kids' shelter to resume admitting children**

[AZ Family](#) [2/28/2019 8:21 PM, Associated Press, 78K, AZ] reports that the largest provider of shelters for immigrant children says it's now allowed to let kids in to one of its Arizona locations after the state barred it from admitting any more children last year. The Texas-based organization was forced to close two locations and to stop accepting new kids after failing to get fingerprint clearance from all employees on time. The state health department began investigating Southwest Key last summer after several allegations of sexual abuse surfaced. Geraldo Rivera, vice president of immigrant children's services, said Southwest Key has examined every part of its Arizona operations and has worked closely with experts to improve its mission.

**[WA] Orcas resident Jesus Cora detained by ICE**

[Washington Islands Weekly](#) [2/28/2019 9:28 AM, Diane Craig, WA] reports a long-time San Juan County resident was detained and released by U.S. Immigration and Customs Enforcement. The Coast Guard boarded a small boat in the San Juan archipelago on Jan. 29. Traveling with the Coast Guard was a Customs and Border Patrol agent, and on board the small craft was Orcas resident and landscaper Jesus Cora, who was heading to his job on Trump Island, a job he has been traveling to and from for 10 years. Because Cora, who is originally from Acapulco, was unable to demonstrate satisfactory evidence of U.S. citizenship, he was detained and transferred to the ICE Northwest Detention Center in Tacoma. Another individual on the boat was also detained and transferred and chose to



return to his country of origin rather than fight deportation. Letters attesting to Coro's character and integrity along with swift action by the Local Immigrant Family Treasury that provided Coro with an emergency loan of \$12,000 enabled him to post bond and be released. He returned to Orcas and his family on Feb. 8. According to Eleanor Hoague, chairperson of LIFT and a former immigration attorney, his attorney believes he has a "good case" for cancellation of deportation. If the judge grants cancellation then Coro becomes a permanent resident, and after three to five years he can become a U.S. citizen.

**[CA] Yolo County 'substantially subsidized' detention of teenage immigrants, state audit says**

[Sacramento Bee](#) [2/28/2019 4:12 PM, Maddy Ashmun, 227K, CA] reports Yolo County "substantially subsidized" parts of the federal government's program to house unaccompanied immigrant children, according to a new report from the California State Auditor's Office. The state auditor estimates that Yolo County might have paid about \$700,000 in program costs that could have been covered by the U.S. Department of Health and Human Services. Yolo County has a contract with the department's Office of Refugee Resettlement to house up to 24 unaccompanied immigrant teens in the Yolo Juvenile Facility. As part of the refugee program, immigrant children who "pose a risk to themselves or others or have been charged with a criminal offense" are typically placed in juvenile detention centers, the report said. In most other cases unaccompanied immigrant children are released to sponsors when possible or placed with state-licensed programs that serve dependent children. The state auditor's report said Yolo County failed to include "all allowable costs" in previous budget requests it submitted to the Office of Refugee Resettlement, resulting in the county spending its own funds to cover some program costs.

**[CA] Protestors petition ICE to save Congolese father from deportation**

[San Diego Union Tribune](#) [2/28/2019 7:30 PM, Kate Morrissey, 214K, CA] reports that more than 30 people stood outside the federal building in downtown San Diego in a prayer-filled demonstration to call on immigration officials to spare from deportation a Congolese father who lost his asylum case. Constantin Bakala, 48, could be deported as soon as Friday, when an emergency order issued by the 11th Circuit Court temporarily keeping him in the country will expire. Attorneys have filed other motions in his case but have yet to hear back from the court, and they are running out of time. Most of the demonstrators have never met Bakala, who has spent most of the time since he asked the U.S. for protection in November 2017 in an immigration detention center in Georgia. Bakala, along with his family, asked the U.S. for protection at the San Ysidro Port of Entry after fleeing the Democratic Republic of Congo because of political persecution. As was common practice at the time, officials separated him from the rest of his family and sent him to an immigration detention center. He lost his case after trying to represent himself in immigration court. Rev. Colin Mathewson of St. Luke's Episcopal Church along with other church members worked to gather signatures to submit a petition to Immigration and Customs Enforcement to ask the agency not to deport Bakala. By the time they walked the petition into the federal building, it had 488 signatures.

Reported similarly: [FOX5 San Diego](#) [2/28/2019 9:49 PM, Andrew Nomura, 62K, CA]

**[CA] Goleta grandma's future uncertain as she awaits ICE decision**

[KEYT-TV](#) [2/28/2019 12:24 PM, Alys Martinez, 21K, CA] reports Goleta grandmother went to the Immigration and Customs Enforcement facility in Santa Maria on Thursday to find out

if she will be deported back to Mexico. But she will have to await a decision. ICE officials told Juana Maria Flores that since her case is "high profile" the decision will be made at a field office. No time frame for the decision was given to Flores, according to her lawyer Kraig Rice. Flores could be deported under President Donald Trump's zero tolerance immigration policy. Flores has lived in the United States since 1988. Her husband got citizenship. The couple has 10 children and 15 grandchildren. Flores' youngest son serves in the U.S. military.

Reported similarly: [KSBY-TV NBC](#) [2/28/2019 11:27 AM, Melissa Newman, 30K, CA]

**[CA] US court allows Cambodian deportee to return**

[Khmer Times](#) [3/1/2019 3:00 AM, Khuon Narim, Cambodia] reports that in a rare motion initiated by a US immigration lawyer, a Cambodian deportee returned to San Francisco to be reunited with his family after the US Supreme Court ruled that his crime was not a deportable offence. Asian Law Caucus attorney Kevin Lo yesterday said the US embassy in Phnom Penh has sanctioned the return of 29-year-old Veasna Meth. Mr. Lo said Mr. Meth's conviction is no longer a deportable offence after the court ruled the crime as not a "crime of violence" in *Sessions vs Dinaya*. "Mr. Meth's return from deportation gives hope that others will also be able to reunite with their families in the United States," Mr. Lo said. "We have already succeeded in two cases for deportees to return and we plan to file more in the future." Mr. Lo said Mr. Meth was born in a refugee camp in the Philippines and that he was convicted for the crime in 2008 after sneaking into a private home with his friends. Mr. Meth is married to a US citizen and the couple has two children, he said, noting that he first met Mr. Meth in 2017 and was able to file his case last year following the court decision. "We filed to reopen his case and an immigration judge granted it on November 8," he said, noting that the judge restored Mr. Meth's permanent residency status.

**{End of Report}**



# EOIR MORNING BRIEFING

U.S. Department of Justice  
Executive Office for Immigration Review  
By TechMIS

[Mobile User Copy and Searchable Archives](#)

**Monday, Mar. 4, 2019**

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## Executive Office for Immigration Review

### Gov't Hit With FOIA Suit Over Requests To Pause Deportations

[Law360](#) [3/1/2019 2:45 PM, Suzanne Monyak] reports two legal advocacy nonprofits have filed a Freedom of Information Act suit in New York federal court, seeking to force the U.S. Department of Justice to hand over records related to how the agency decides whether to grant noncitizens' motions to pause their deportations while their cases are pending. The American Immigration Council and the Kathryn O. Greenberg Immigration Justice Clinic at the Benjamin N. Cardozo School of Law filed the lawsuit on Thursday, alleging that the

DOJ's Executive Office for Immigration Review, which oversees the immigration courts, failed to fully respond to the nonprofits' FOIA requests for those records. The nonprofits said the EOIR's refusal to produce those requested records — which include data showing the EOIR's procedures for adjudicating noncitizens' requests to stay their removals while their motions to reopen their immigration cases are pending — blocks immigrants from access to "critical information" that could shield them from being deported to countries where they may face persecution. "Months later and despite diligent administrative advocacy by the plaintiffs, EOIR has refused to adequately search for or produce the vast majority of the requested records. As a result, clear guidance on ways to effectively exercise these statutory and regulatory rights remain unclear, to the detriment of noncitizens, their attorneys and courts," the lawsuit says.

According to the suit, immigration enforcement in the U.S. has ramped up by more than 40 percent since early 2017. As part of the increased enforcement, immigration authorities have picked up individuals with long-standing deportation orders, some of whom have been living in the U.S. for years with the government's permission, and initiating removal proceedings against them. Some of those individuals may have valid claims for immigration benefits if they can reopen their cases, the suit says, including fear-based claims due to circumstances in their home countries that have changed since the initial removal order was issued. But if their motions for a stay of removal are denied, they can be deported while the motion to reopen or to reconsider is still pending before the Board of Immigration Appeals, leaving them struggling to successfully litigate those motions from afar, the suit says. Denial of a stay can also thwart noncitizens' abilities to appeal a BIA denial in the federal courts once the motion to reopen is decided, the nonprofits said. According to the suit, the EOIR has not released any public guidance on its criteria for deciding those stay motions, and many of the agency's decisions are "conclusory." The suit also alleges that the EOIR offer decides stay motions at the "last minute" — "when ICE confirms that the noncitizen is hours or sometimes minutes away from being put onto a plane" — limiting noncitizens' legal recourse if the motion is denied. The nonprofits filed two FOIA requests seeking records on the EOIR's adjudication of those motions for stay filed alongside motions to reopen immigration cases, one in July and a second in November, for different time periods. In response to the first request, EOIR provided a single Excel spreadsheet that the nonprofits say did not fully address its request, and the agency has yet to produce documents in response to the second request, the suit says. "The motion to reopen and stay processes exist to protect individuals from irreparable harm as a result of erroneous deportations. Yet by operating in secrecy and opacity, the BIA undermines Congress' intention and allows this exact population along with many others who have valid claims for relief to be deported, without so much as a glance at the merits of their case."

**[PA] Under Trump, U.S. immigration courts experience record backlog of cases**

[Ponte al Dia](#) [3/1/2019 9:09 AM, David Maas, 7K] reports that as of January 2019, U.S. immigration courts had 829,608 cases pending adjudication, according to Syracuse University's Transactional Records Access Clearinghouse (TRAC). In just five years, this number has more than doubled, from 408,037. In Pennsylvania, there are now more than 16,000 cases pending in the courts - more than double the Sept. 2016 number. Immigration activists say it is clear that Trump administration policies that are to blame. Across the country, there has been more cooperation between local law enforcement bodies and ICE, increased use of detainers, and more immigration sweeps on America's streets, in workplaces and in criminal courts. "If you have greater enforcement, you're going to have more people in immigration proceedings. Although they've added judges to the Philadelphia



court, it's not keeping pace with enforcement," Philippe Weisz, Managing Attorney, HIAS Pennsylvania, told AL DÍA. In addition, internal guidelines handed down under former Attorney General Jeff Sessions essentially eliminated the practice of prosecutorial discretion, and judges' authority to more effectively manage their dockets. Following the executive order Trump issued just five days into his presidency, his former Secretary of Homeland Security, John Kelly, issued a directive walking back the priority levels in place. All said, resources have been spread thin with no ability to strategically prioritize cases.

## **Policy and Legislative News**

### **DHS plans to expand 'Remain in Mexico' policy in the near future**

[CNN](#) [3/1/2019 11:06 AM, Priscilla Alvarez] reports that in the coming weeks, the Trump administration plans to expand a policy that requires some asylum seekers to await their immigration court hearings in Mexico to other locations along the US-Mexico border, said Department of Homeland Security officials Friday. Officials wouldn't specify where exactly they plan to implement the program, though they didn't rule out El Paso, Texas. "Everything is on the table," said a DHS official. "We want to make sure we do this right. We want a location that works for both sides of the border." The so-called Migrant Protection Protocols, informally known as "Remain in Mexico," applies to migrants primarily from Central America. Officials said the program will not apply to unaccompanied children. Over time, DHS intends to apply the program to migrants who appear at and between ports of entry. The administration has said the policy will stem the flow of migrants and "reduce threats to life, national security, and public safety, while ensuring that vulnerable populations receive the protections they need." DHS officials said they're working with the Justice Department's Executive Office for Immigration Review regarding the immigration court hearings.

### **Mexico Frets Over U.S. Plans to Take Divisive Asylum Policy to New Cities**

[Reuters](#) [3/1/2019 6:38 PM, Lizbeth Diaz, 20737K] reports the United States is aiming to ramp up in coming weeks a program to send Central American asylum seekers to Mexico to await U.S. court dates, an experimental policy that Mexican officials and migrant shelters say risks overwhelming an underfunded system. In late January, the United States began sending Central American migrants who crossed at the Tijuana-San Diego border back to Mexico to wait as their asylum requests were processed, a program called Migrant Protection Protocols, or MPP. On Friday, a U.S. official said several government agencies met this week to discuss implementing the policy in more border cities. Rights groups are simultaneously suing the U.S. government to try to close down the program, which plaintiffs says breaks the law and endangers refugees. The U.S. official, who spoke on condition of anonymity, said the program would likely be expanded in the next few weeks, and that one option was the El Paso-Ciudad Juarez border, which saw a surge in migrant arrivals in February. The head of Mexico's National Immigration Institute, Tonatihu Guillen, warned Mexico's border cities would struggle to look after vulnerable asylum seekers for long periods. The Mexican government said it had received around 150 returned asylum seekers so far. City, state and federal representatives met U.S. immigration officials in El Paso again on Friday but did not agree when the program would start, said Rogelio Pinal, the city's human rights director. So far, the pilot Tijuana project has not led to a drop off in asylum cases.

Additional reporting:

[CBS News](#) [3/1/2019 1:27 PM, Kate Smith]

[ABC News](#) [3/1/2019 11:56 AM, Anne Flaherty]  
[BuzzFeed](#) [3/1/2019 10:30 AM, Hamed Aleaziz, 8149K]  
[Public Radio International](#) [3/1/2019 5:45 PM, Emily Green, 121K]  
[The Daily Caller](#) [3/1/2019 12:35 PM, Jason Hopkins, 867K, DC]  
[Texas Monthly](#) [3/2/2019 1:43 AM, Robert Moore, 74K, TX]

### **Trump's Surprising New Ally in Mexico? The Government**

[New York Times](#) [3/1/2019 4:42 PM, Azam Ahmed and Kirk Semple, 20737K] reports that Mexican officials are carrying out the Trump administration's immigration agenda across broad stretches of the border, undercutting the Mexican government's promises to defend migrants and support their search for a better life. The Mexican authorities are blocking groups of migrants at border towns, refusing to allow them onto international bridges to apply for asylum in the United States, intercepting unaccompanied minors before they can reach American soil, and helping to manage lists of asylum seekers on behalf of the American authorities to limit the number of people crossing the border. Officials inside the administration of Mexico's new president, Andrés Manuel López Obrador, have called his stance on migrants a strategic decision not to anger President Trump. The officials say, Mr. López Obrador has not wanted to jeopardize other aspects of the deeply interconnected relationship between the two countries, ranging from elaborate regional trading arrangements to information sharing on border security, transnational crime and terrorism. "If we have to accept a handful of people back into Mexico, that's not really a problem for us, not even politically," said one official who was not authorized to discuss internal deliberations. "What we really want to avoid is a public fight with Trump." The delicate balance with the United States has left the Mexican government without a clear, consistent immigration policy, so Mexican states and municipalities along the border are often in the position of fending for themselves under pressure from their American counterparts.

### **More GOP Senators Plan to Vote Against Trump's Border-Wall Emergency**

[Breitbart](#) [3/3/2019 4:46 PM, Neil Munro, 2015K] reports that Sen. Rand Paul has joined the list of GOP Senators who are abandoning Majority Leader Mitch McConnell's pledge to support the border emergency declaration by President Donald Trump. "I can't vote to give the president the power to spend money that hasn't been appropriated by Congress," Paul told a home-state audience at Western Kentucky University's Augenstein Alumni Center on May 2. "We may want more money for border security, but Congress didn't authorize it. If we take away those checks and balances, it's a dangerous thing," he said, according to the Bowling Green Daily News. Paul is the fifth GOP Senator who says he will oppose Trump's emergency declaration. His vote will allow Democrats to get a resolution against emergency spending through the Senate with a vote or two to spare. Trump's emergency declaration is expected to survive because Trump can veto the Democrats' resolution against the emergency. Trump is using the emergency declaration to redirect several billion dollars of appropriated funds to help build additional miles of border wall. The declaration comes after the D.C. establishment largely blocked Trump's 2016 mandate for immigration reform. Democrats need support from 20 GOP Senators to get the 67 votes needed to override Trump's veto. If Trump doesn't back down, there is still deep reluctance in the GOP to becoming the 51st vote for the disapproval resolution that the Senate is expected to vote on in March.

**Is rigid partisanship the real reason for rejecting Trump's border crisis claim?**

[The Hill](#) [3/1/2019 11:30 AM, Nolan Rappaport] reports Gallup scientist, Frank Newport, says that President Donald Trump's wall has become an "RPPI" — a Rigidly Partisan Policy Issue. Opinions "are highly entrenched and largely based on underlying partisan identity." Pew Research Center's recent poll found that 82 percent of Republicans favor expanding the border wall, compared to only 6 percent of Democrats. Pew analysts noted that "partisan differences [on the wall] are now wider than they have ever been." And the RPPI is even stronger in congress. Rep. Joaquin Castro (D-Texas) introduced a joint resolution, which, with favorable action in the Senate would terminate the national emergency declaration that Trump is using to obtain funding for his wall. Castro refers to it as "Trump's fake emergency declaration." The resolution was cosponsored by 232 Democrats and one Republican. It passed on a roll call vote of 245 yeas and 182 nays. All of the nay votes were from Republicans. The failure to secure the border has resulted in a population of undocumented aliens so large that effective immigration enforcement in the interior of the country is no longer possible. According to ICE's Enforcement and Removal Operations Report for fiscal 2018, the number of aliens deported from the interior of the country rose from 65,332 in fiscal 2016, to 95,360 in fiscal 2018. A study by MIT and Yale professors, however, indicates that the number of undocumented aliens in the United States could actually be as high as 22.1 million. If interior removals continue at the fiscal 2018 rate, it would take more than 200 years to remove them all. Immigration court backlog crisis makes it virtually impossible to process new cases As of the end of January 2019, the immigration court backlog was 829,608 cases, and the average wait for a hearing was 1,035 days — nearly three years. That does not include 330,211 additional cases that are not yet on the active docket, which would raise the total to 1,159,819 cases.

### **Donald Trump Leans on Unverifiable Statistics About Immigration in Blustery CPAC 2019 Speech**

[Newsweek](#) [3/3/2019 2:35 PM, Gillian Edevane, 2656K] reports President Donald Trump once again referenced unverifiable statistics about immigration court proceedings during his speech at the Conservative Political Action Conference on Saturday — one of many false or misleading statements that came during the commander-in-chief's blustery and lengthy spiel. During his two-hour monologue at the Maryland conservative conference, Trump stated that only three percent of unauthorized migrants show up for required court proceedings. That figure is an unproven statistic the president has previously peddled while trying to defend his policies on immigration. "Nobody shows up," he remarked at CPAC, which is hosted by the American Conservative Union. "Three percent of the people come back for a trial. It's insane. We have to end chain migration and we have to cancel the visa lottery." According to available data, the number is considerably higher. A report from the Department of Justice from the 2016-2017 fiscal year shows the rate at which migrants show up for court hearings hovers around 72 percent. When looking only at asylum seekers, the rate jumps to 89 percent. The rate fluctuates in other reports that use different methodology, but never dips as low as Trump claimed at CPAC. A report from the Department of Homeland Security found no-show rates of about 39 percent in 2016 when the person had never been detained. Data from Syracuse University puts the percentage of all cases decided in absentia at about 20. [Editorial note: consult source link for video]

### **Catch and Release, Birthright Citizenship, Sanctuary Cities Continue Unaltered Despite Trump Opposition**

[Breitbart](#) [3/3/2019 7:38 PM, John Binder, 2015K] reports that the Catch and Release program, birthright citizenship for the U.S.-born children of illegal aliens, and sanctuary

cities have continued operating, unaltered, despite repeated opposition from President Trump. During his speech at the Conservative Political Action Conference, Trump denounced the Catch and Release program where illegal aliens and border crossers are routinely released into the interior of the U.S. after being apprehended by Border Patrol. The Catch and Release program was expanded by Trump last month when he signed a spending bill approved by Republicans and Democrats in Congress and strongly supported by Department of Homeland Security Secretary Kirstjen Nielsen, insiders have told Breitbart News. The bipartisan spending package Trump signed greatly expands the Catch and Release of border crossers and illegal aliens, codifying into law that border crossers be bused into the interior of the U.S. where they are released with the promise that they are monitored. Trump's expansion of Catch and Release reduced the detention space that Immigration and Customs Enforcement now has to detain border crossers and expanded the "ATD" program that releases foreign nationals into the country with ankle monitors. Trump's CPAC speech also included his denouncing of the country's birthright citizenship policy where the U.S.-born children of illegal aliens and foreign nationals are immediately granted American citizenship regardless of their parents' immigration status. In his speech at CPAC, Trump said he wanted to secure the southern border, adding "This includes shutting down sanctuary cities." While the Trump administration has made some progress on this promise, forcing a handful of former sanctuary cities to drop their policy, the majority of pro-illegal alien jurisdictions have continued receiving Justice Department grant money.

### **What happened to the migrant caravans?**

[CNN](#) [3/4/2019 6:01 AM, Priscilla Alvarez] reports that nearly a year after migrant caravans captured the nation's attention and drew the ire of President Donald Trump, they appear to have fizzled out, marking yet another shift in their ever-evolving immigration policy narrative. Migrants are now splintering off into a number of groups, instead of journeying north in one large caravan. A Department of Homeland Security official told CNN that there are currently more than 10,000 undocumented migrants making their way to the US-Mexico border, but they do not appear to be traveling in caravans. Instead, the groups are "dispersed," making them "very difficult to track," said the official, who added that the caravan that arrived in Piedras Negras in early February has been largely moved out of the Mexican border town. While traveling with a caravan might've been useful for trekking through Mexico, it proved impractical once arriving to the US-Mexico border, where entry became more difficult. Mexico has touted its efforts, under the new administration of Mexican President Andrés Manuel López Obrador, to address the flow of migrants from Guatemala, El Salvador and Honduras. In January, Mexico granted a large number humanitarian visas to migrants crossing its southern border. Of the 13,500 that came through the border in mid-January, only 10% continued to the US-Mexico border, according to Cordero. Cordero suggested that doing so has discouraged migrants from continuing their journey north and instead stay in Mexico. It's unclear, however, whether those migrants will decide to journey north in the future.

### **29 parents separated from their children and deported last year arrive at U.S. border to request asylum**

[Washington Post](#) [3/2/2019 8:19 PM, Kevin Sieff and Sarah Kinosian, 9763K] reports that twenty-nine parents from across Central America who were separated from their children by U.S. immigration agents last year returned to the U.S. border on Saturday, demanding asylum hearings that might allow them to reunite with their children. The group of parents traveled north over the last month, assisted by a team of immigration attorneys who hatched

a high-stakes plan to reunite families divided by the Trump administration's family separation policy last year. The 29 parents were among those deported without their children, who remain in the United States in shelters, in foster homes or with relatives. As of early afternoon in Mexicali, none of the 29 parents had been allowed into the United States by border officials, who cited capacity issues at holding centers. More than 2,700 children were separated from their families along the border last year, according to the Department of Health and Human Services. About 430 parents were deported without their children, and at least 200 of those parents remain separated today. It's likely that some of the parents could be detained for months if the government decides to process their asylum claims. But even if they are refused entry to the United States in the coming days, U.S. courts could eventually allow some of the parents back into the country to petition for asylum. For now, though, the parents say they hope their long trip back to the border will be the fastest way to see their children again.

Additional reporting:

[The Hill](#) [3/3/2019 7:29 PM, Owen Daugherty, 3038K]

[NBC News](#) [3/2/2019 8:41 PM, Phil McCausland and Mariana Atencio, 4061K]

[Week Magazine](#) [3/3/2019 10:49 AM, Tim O'Donnell, 327K, NY]

[Time](#) [3/3/2019 11:26 AM, Francesca Trianni and Emily Kinskey, 2917K]

[VOA](#) [3/3/2019 2:25 AM, Staff, 1183K, DC]

[KQED](#) [3/2/2019 8:25 PM, Julie Small, 160K, CA]

[Regional Daily News](#) [3/3/2019 6:27 PM, Staff, IL]

### **Why Are Separated Families Told They Must Use a Tiny Georgia Travel Agency to Reunite?**

[Texas Monthly](#) [3/1/2019 11:41 PM, Katy Vine, 74K, TX] reports one day last August, a Guatemalan construction worker named Adolfo, living in New York City, received a phone call he'd been eagerly anticipating. In the next 24 hours, Adolfo's 15-year-old son, Allan, would be eligible for release, after being held for about two months in Brownsville, Texas, at the Casa Padre facility run by Southwest Key. All Adolfo had to do, the Southwest Key case manager on the phone with him said, was to make travel arrangements for his son through Copacabana Travel Management, a small firm in Lawrenceville, Georgia, about 30 miles northeast of Atlanta. The only option Copacabana quoted to him, Adolfo said, was a \$1,030. He asked Southwest Key if he could make travel arrangements without using Copacabana. According to Adolfo, Southwest Key said he could not. Adolfo called a woman he had heard about from friends: a former social worker in New York City named Julie Schwieter Collazo. In response to the Trump administration's policy of separating undocumented immigrant parents from their children, Collazo had banded together with her friends over the summer to create a group of volunteers called Immigrant Families Together. Hearing Adolfo's story, Collazo worried he might have been confused by the directions, so she called Southwest Key herself. Representatives from Southwest Key also said they were unsure why anyone would have gotten the impression that they had to use Copacabana. They blamed Adolfo's situation on a misunderstanding. Collazo insisted there was no misunderstanding. Collazo says Immigrant Families Together volunteers have heard stories like this from five other families. Those families also said they were told they needed to book travel arrangements through Copacabana in order to get their kids transported out of a Southwest Key facility.

### **Thousands of kids have been sexually abused at U.S. migrant shelters, feds say**



[Miami Herald](#) [3/2/2019 3:36 PM, Monique O. Madan, 535K, FL] reports thousands of migrant children have been sexually abused while being detained at U.S. government-run shelters, according to Department of Health and Human Services documents. The data – which was released Tuesday by Florida Democratic Rep. Ted Deutch during a Judicial Committee hearing on the Trump administration's child separation policy – shows that more than 1,000 allegations of sexual abuse of unaccompanied minors were reported to the Office of Refugee Resettlement every fiscal year since 2015. In total, the documents show that 4,556 sexual abuse complaints were reported to the resettlement agency between October 2014 and July 2018; 1,303 complaints were also filed with the Department of Justice between fiscal years 2015 and 2018. In many instances, cases weren't "substantiated" or investigated. In others, the perpetrators were either reassigned, put on administrative leave, terminated or "reinstated." During the committee hearing Department of Justice, Immigration and Customs Enforcement and Border Patrol leaders were grilled by Democrats who called the policy "immoral" and "inhumane."

### **'You Have to Pay With Your Body': The Hidden Nightmare of Sexual Violence on the Border**

[New York Times](#) [3/3/2019 11:32 AM, Manny Fernandez] reports it was dark in the stash house where they kept her, the windows covered so no one could see inside. At first, the smugglers had her cook for the other migrants who had recently crossed illegally into the United States. Then they took her to a room upstairs, locked the door and began taking turns with her. It was the summer of 2014, and Melvin, a 36-year-old mother of three, had just completed the journey from her native Guatemala, crossing the Rio Grande on a raft before being led to the house in the Texas border city of McAllen. For weeks in that locked room, the men she had paid to get her safely to the United States drugged her with pills and cocaine, refusing to let her out even to bathe. "I think that since they put me in that room, they killed me," she said. "They raped us so many times they didn't see us as human beings anymore." On America's southern border, migrant women and girls are the victims of sexual assaults that most often go unreported, uninvestigated and unprosecuted. Even as women around the world are speaking out against sexual misconduct, migrant women on the border live in the shadows of the #MeToo movement. The stories are many, and yet all too similar. Undocumented women making their way into American border towns have been beaten for disobeying smugglers, impregnated by strangers, coerced into prostitution, shackled to beds and trees and — in at least a handful of cases — bound with duct tape, rope or handcuffs. The New York Times found dozens of documented cases through interviews with law enforcement officials, prosecutors, federal judges and immigrant advocates around the country, and a review of police reports and court records in Texas, New Mexico, Arizona and California. The review showed more than 100 documented reports of sexual assault of undocumented women along the border in the past two decades, a number that likely only skims the surface, law enforcement officials and advocates say.

### **Sanctuary cities getting law enforcement grants despite threat to hold back federal funding**

[FOX News](#) [3/2/2019 9:14 PM, Wilson Ring, 9216K] reports that about 18 months after the Trump administration threatened to withhold law enforcement grants from nearly 30 places around the country it felt weren't doing enough to work with federal immigration agents, all but one have received or been cleared to get the money, the Justice Department said. In most cases, courts chipped away at the crackdown that escalated in November 2017 with

letters from the Justice Department of former Attorney General Jeff Sessions to 29 cities, metro areas, counties or states it considered as having adopted "sanctuary policies" saying those policies may violate federal law. Of those 29 jurisdictions - which include cities as large as Los Angeles and as small as Burlington, Vermont – only Oregon has yet to be cleared to receive the grants from 2017, a Justice Department spokesman told The Associated Press this week.

Reported similarly:

[The Daily Caller](#) [3/3/2019 2:07 PM, Jason Hopkins, 867K, DC]

[U.S. News & World Report](#) [3/2/2019 8:53 AM, Staff]

### **Kirstjen Nielsen digs in after surviving Trump's wrath**

[Politico](#) [3/4/2019 5:04 AM, Gabby Orr and Daniel Lippman] reports that shortly after President Donald Trump returned last March from a visit to the San Diego border, Homeland Security Secretary Kirstjen Nielsen found herself in a familiar place — saying no to her boss. By last November, the constant friction with a president who struggled to grasp the complexities of immigration law had driven Nielsen to the brink of losing her job. But in the four months since her dismissal seemed inevitable, Nielsen has engineered a remarkable comeback. Though she was often summoned to the Oval Office during the 35-day government shutdown to work with Trump through the crisis du jour, her autonomy has also grown. Three people familiar with the plans said Nielsen, who recently traveled to El Salvador for meetings with Northern Triangle security ministers, has two more foreign trips on her calendar in the coming months, including another visit to Latin America. Back at home, Nielsen has shuffled staff around strategic priorities at a department with sprawling responsibilities that extend well beyond the president's pet obsession of immigration — including cyber security, and domestic counter-terrorism. One challenge for Nielsen will be restoring morale at a department whose employees have grown exasperated by Trump's laser focus on illegal immigration. DHS spokesman Tyler Houlton said Nielsen "has always worked diligently to support the frontline operators" in the department, in addition to "working 24/7 to keep our country safe and lead the dedicated team members at DHS."

### **[NY] With Courthouse Arrests, Is Justice Too Risky For Immigrants?**

[Law360](#) [3/3/2019 8:02 PM, RJ Vogt] reports that as a Honduran immigrant living without legal status in the Bronx, New York, Rosa is particularly afraid of U.S. Immigration and Customs Enforcement agents — so afraid that she abandoned an opportunity at gaining a visa because it required her to go to court. According to her attorney, Carolina Guiral Cuervo of the Bronx Legal Services, Rosa could have obtained a two- to five-year protection order against a woman who threatened her last summer, as well as a visa provided to victims of criminal activity. Cuervo said her client, who spoke on the condition of anonymity, is just one of many whose decisions to ditch their cases was attributable to reports that ICE is increasingly using courthouses as staging grounds for enforcement actions. The change in New York came two years ago, according to a report by the Immigrant Defense Project, when ICE arrests in and around courthouses leapt from 11 in 2016 to 159 in 2017. In late January, the IDP said such arrests increased again, to 178, last year. As a result of the increasing use of courthouse arrests, legal aid attorneys across the country have reported dips in the number of immigrants pursuing cases over wage theft, domestic violence and workplace sexual assault. ICE officials in October 2017 said the courthouse arrests would continue. In early 2018, the agency released a directive saying that using courthouses can reduce safety risks because those inside are typically screened

for weapons upon entry. "Courthouse arrests are often necessitated by the unwillingness of jurisdictions to cooperate with ICE in the transfer of custody of aliens from their prisons and jails," the directive stated. The ICE official, speaking on background only, also said courthouse arrests are targeted — meaning that nontargeted aliens who may also be in the vicinity are usually left alone.

**[PA] Philadelphia released undocumented man, charged with assault, despite receiving federal arrest warrant**

[The Inquirer](#) [3/1/2019 5:52 PM, Jeff Gammage, 381K, PA] reports U.S. Attorney William M. McSwain says he has a question for Philadelphia Mayor Jim Kenney: Where is Alan Torres Gomez, an undocumented Mexican man twice charged with assault? McSwain's ire stems from an incident that holds the Kenney administration's "sanctuary city" policies up for criticism — Gomez's release from local custody despite the fact that federal immigration authorities provided the city with a signed judicial arrest warrant to ensure he would be held. The city does not honor detainers from U.S. Immigration and Customs Enforcement, deeming them insufficient, but says it always cooperates with warrants signed by a judge. McSwain said that's not true, that in this 2018 case, city officials ignored a warrant for a man who had been most recently charged with assault and recklessly endangering another person, and who had twice been deported from the United States. Gomez, 29, had been deported in 2009 and 2016, before he came into contact with Philadelphia police, court records show. An arrest warrant was signed by U.S. Magistrate Judge Marilyn Heffley, a copy of the warrant shows, and then faxed to the Curran-Fromhold Correctional Facility, where Gomez was being held. City officials confirmed receipt of the warrant the same day, according to the U.S. Attorney's Office. The accompanying criminal complaint said Gomez had illegally reentered the United States; federal authorities intended to start deportation proceedings. McSwain said his office expected to be notified when Gomez was about to be released. Instead, after more than two months in custody, Gomez was freed on Nov. 26, 2018, the records show. The U.S. Attorney's Office found out when a staffer inquired about the case, McSwain said.

**[AR] Migrant-law resolution goes to council Tuesday**

[Arkansas Online](#) [3/4/2019 3:35 AM, Rachel Herzog, 47K, AR] reports that a city resolution that would not change existing immigration policy but has nonetheless stirred concerns among the Hispanic community will be considered by Little Rock city directors Tuesday. The resolution, put forth by City Director Lance Hines, declares the city's intent to comply with the requests of the federal government when enforcing immigration laws. Little Rock has not refused to cooperate with federal agencies, such as U.S. Immigration and Customs Enforcement, that request the immigration status of people in custody, as some other municipalities dubbed "sanctuary cities" have. The resolution does not affect the city's municipal ID program, which started in July. The ID cards are geared toward Hispanic or homeless individuals who do not have legal U.S. documentation. Maricella Garcia, the city's multicultural liaison, said she has heard concerns since the program started that the information on the cards would be released to U.S. Immigration and Customs Enforcement. The information on the city IDs is subject to the Arkansas Freedom of Information Act, but the immigration agency would request that information only if someone is accused of a crime, she said. As of Jan. 31, the city had issued 1,116 municipal IDs.

**[MI] Kent County sheriff rejects 'sanctuary' claim by ICE, White House**

[Michigan Live](#) [3/2/2019 6:51 AM, John Agar, 480K, MI] reports that in a statement shared by the White House, Immigration and Customs Enforcement, or ICE, accused the Kent County Sheriff's Department of having a "sanctuary" policy that put three suspected illegal immigrants back on the street. "The release of criminal aliens back on west Michigan streets continues to pose a serious threat to our communities," Rebecca Adducci, ICE's Enforcement and Removal Operations' field office director in Detroit, said in the statement. ICE agents in recent weeks arrested the three men after they were released from jail. "We have to find them on the street, and in the community, which raises the danger factor for everyone involved. If they're already in jail, it's just safer for everybody," ICE spokesman Khaalid Walls told MLive/The Grand Rapids Press. Kent County Sheriff Michelle LaJoye-Young said ICE is "dramatically misrepresenting" the department's new policy created after a U.S. citizen was held as possible illegal immigrant. The policy requires a warrant signed by a judge to hold inmates beyond their release date.

LaJoye-Young in January stopped honoring federal immigration holds without a warrant signed by a judge after a U.S. Marine, born in Grand Rapids, was wrongly held three days on a federal detainer. Jilmar Ramos-Gomez's controversial detention spawned further fallout, with the suspension of a long-time Grand Rapids police captain, Curt VanderKooi, who contacted ICE to check his legal status in the U.S. Capt. Curt VanderKooi was placed on administrative leave Thursday, Feb. 28. LaJoye-Young said two of three cases cited by ICE – for impaired-driving offenses – could have been prosecuted criminally. ICE contended that Congress hasn't required that it obtain a judicial warrant to take custody in cases of civil immigration violations. "This idea is simply a figment created by those who wish to undermine immigration enforcement and excuse the ill-conceived practices of sanctuary jurisdictions that put politics before public safety," ICE said in the statement. Spokesman Walls said: "ICE officers have the authority to issue detainers on people we believe are removable. There's no process to go to the federal court to arrest somebody on a civil-immigration violation."

Reported similarly:

[Connecticut News-Times](#) [3/1/2019 1:35 PM, Staff, 26K, CT]

[Charlotte Observer](#) [3/1/2019 1:31 AM, Staff, 168K, NC]

[Detroit Free Press](#) [3/2/2019 2:56 PM, Niraj Warikoo, 334K, MI]

## Legal News

### **Asylum-Seekers Can Pursue Suit Over DHS Detention Policy**

[Law360](#) [3/1/2019 5:23 PM, Suzanne Monyak] reports a group of asylum-seekers may move forward with claims that the U.S. Department of Homeland Security has a de facto policy to categorically deny parole to asylum-seekers in some of its offices to deter others from seeking relief in the U.S., a D.C. federal judge ruled. U.S. District Judge James E. Boasberg on Thursday rebuffed the federal government's bid to throw out the suit entirely, referencing his earlier preliminary injunction order in which he already found that the asylum-seekers were likely to succeed on their claims that the government has a policy to detain asylum-seekers in breach of the agency's own directive. But Judge Boasberg demurred on the asylum-seekers' claim that the detention policy, allegedly in practice at five U.S. Immigration and Customs Enforcement field offices, violates their constitutional right to due process. He agreed to cut several individual government defendants from the suit on that basis, reasoning that the asylum-seekers had not sufficiently raised a claim for broader

relief from prolonged detention. Moreover, it would be "unnecessary" for the court to weigh in on the due process issue because the asylum-seekers would need to win on their APA claims — namely, that DHS has employed this illegal detention policy — in order to prevail on the constitutional claims, allowing them to get the relief they requested in the APA claim, the judge said. However, he clarified that should the constitutional claim become relevant during discovery, the court would consider the government's arguments in favor of dismissing the due process claim at that point.

The proposed class action was filed by the American Civil Liberties Union and other advocates in March 2018, alleging that five ICE offices have cut their parole rates to nearly zero, with raw numbers from each of the offices showing between 90 and 98 percent parole denials. The complaint also asked for injunctive relief from the alleged deterrence policy. This policy violated ICE's own rules, the lawsuit says, which state that people who meet certain requirements, such as scoring an affirmative credible fear determination — indicating they have a better chance of winning their asylum case — may be released on parole while they wait for a decision. The federal government moved to dismiss the suit in April, urging the court to reject the asylum-seekers' request for injunctive relief. The government argued that the court did not have jurisdiction to grant that injunctive relief and that regardless, the asylum-seekers had not adequately shown enough facts to support their claim that such a deterrence policy exists. But in July, Judge Boasberg indicated that he would be likely to side with the asylum-seekers, saying that "the numbers here are irrefutable." He issued a preliminary injunction ordering ICE to follow its own rules on parole grants and provisionally certified a class of arriving asylum-seekers whose fear claims are found to be "credible" but have nonetheless been denied parole by one of the five ICE offices in question.

#### **6th Circ. Won't Revive Immigrant's Removal Notice Challenge**

[Law360](#) [3/1/2019 7:55 PM, Tiffany Hu] reports the Sixth Circuit on Thursday denied a Mexican immigrant's petition for review of the Board of Immigration Appeals' decision not to allow him to reopen an in absentia deportation order, finding that the failure to notify him regarding the date, time and place of his court hearing did not necessarily render the proceedings void. Although Gualterio Lazaro Santos-Santos was able to show that the notice to appear in immigration court did not contain the date and time elements, as required under one part of the immigration statute, Santos-Santos failed to meet the requirements of the other part of the statute, the panel said in a nine-page published opinion. Because the notice was presumed to have been properly mailed to him or his attorney, Santos-Santos had the burden of rebutting that presumption by showing that he did not actually receive the notice, which he failed to do, the panel said. Santos-Santos and his wife came to the U.S. from Mexico without inspection in 1999 and were caught only after a March 2000 attempt to enter Canada, where they were subsequently questioned about their citizenship and status in the U.S., according to the decision. After admitting to being immigrants living in the country without government permission, Santos-Santos was personally served with the notice to appear at a deportation hearing in Detroit, Michigan, which stated that the date and time of the hearing was "to be determined," the panel said. Afterward, he was sent both a certificate informing him that the notice was sent to a Detroit immigration court and the court mailed a notice of hearing to an address purported to be his. After he failed to appear, he was ordered removed in absentia and the order was mailed to the same address, the panel said, but Santos-Santos said he did not get the order and only learned of it later. Despite Santos-Santos' contention that the notice to appear did not include the relevant information and was thus "facially defective," the panel agreed with



the BIA that the court met the statutory requirements when it sent the second notice providing the relevant information.

**[IA] Man accused in Mollie Tibbetts' slaying wants trial moved to a county with 'substantial' Latino representation**

[Des Moines Register](#) [3/2/2019 9:20 PM, Anna Spoerre, 125K, IA] reports that the man charged in the killing of University of Iowa student Mollie Tibbetts requested his trial be moved out of Poweshiek County and into a county with more minority representation in its jury pool. Attorneys for Cristhian Bahena Rivera on Friday filed a motion for change of venue, arguing that existing prejudice in Poweshiek County makes it likely "a fair and impartial trial cannot be preserved with a jury selected from that county," according to court documents. Rivera's first-degree murder trial has been scheduled to begin Sept. 3 at Poweshiek County Courthouse in Montezuma. Poweshiek County's connections to the case are plentiful: It's where Rivera worked and lived, where 20-year-old Tibbetts grew up, where she went missing while jogging in her hometown of Brooklyn in July, and where her body was discovered in a cornfield after more than a month-long search that drew national attention. Rivera's attorneys said they spoke with potential witnesses – many of them Latino – who expressed fear and apprehension about testifying or cooperating in the investigation should the trial remain in Poweshiek County. There is also concern among some members of the local Latino community of government interference in their lives, according to the motion, though Rivera's attorneys said most of the individuals are in the country legally. [Editorial note: consult source link for video]

**[MT] Holding on: ACLU challenges immigration holds by local officials in Montana**

[Bozeman Daily Chronicle](#) [3/3/2019 7:00 AM, Freddy Monares, 17K, MT] reports that Silvia Amparan said her three children cried when a Bozeman judge told her husband Luis Soto-Lopez he would be spending time in jail because of an Immigration and Customs Enforcement hold — commonly called an "ICE detainer." The detainer asks local authorities to hold an inmate, regardless if he or she is acquitted at trial, posts bail or pleads guilty, for 48 hours so immigration officials can pick them up. Amparan said she hasn't paid the \$500 bail, per an attorney's advice. If she paid, an attorney said, he would likely be transferred to immigration officials. Soto-Lopez has remained in the county jail since November 2018. On Monday, the American Civil Liberties Union of Montana and the ACLU Immigrants' Rights Project filed a class-action lawsuit in Gallatin County District Court alleging that Soto-Lopez and others have been unlawfully jailed at the Gallatin County Detention Center at the request of U.S. immigration officials. The ACLU suit alleges Gallatin County officials are exceeding their authority under Montana law by imprisoning people on the grounds that they may have committed a violation under federal immigration law. The ACLU claims imprisonment on the basis of an immigration detainer is a new arrest under federal law that the state doesn't have the power to make. The lawsuit seeks to end the use of ICE detainers for all current and future people incarcerated at the Gallatin County jail at the request of federal immigration authorities. It also seeks compensation for Soto-Lopez's unlawful imprisonment.

**[UT] How these three Utah attorneys are advocating for asylum-seekers**

[Deseret Morning News](#) [3/3/2019 5:30 PM, Lee Benson, 349K, UT] reports Steven Burt, Engels Tejeda and Austin Baird are three Utah attorneys in their late 30s who recently traveled to south Texas to represent people who couldn't afford them. For a week, they met with women seeking asylum for themselves and their families in the United States. They

heard their stories, their rationale, their reasons, for fleeing their homelands and landing at the U.S. doorstep. Most of the women they met came from Honduras, Guatemala and El Salvador, the violent Northern Triangle countries in Central America where drug cartels and gangs make daily life difficult if not downright unbearable. A majority were married, but their husbands were in another facility. Only women and children are allowed at the South Texas Family Residential Center in Dilley, Texas. It was the extensive publicity early last summer about migrant families being separated at the Mexican border that got Burt, Tejada and Baird to Texas. Burt, a University of Utah law school graduate who is in-house counsel for Vivint Solar in Lehi, saw the news reports of the thousands of people seeking asylum at the border and wondered if there was something he could do besides just worry about it. He did a Google search and found out about the Dilley Pro Bono Project, a nonprofit group that solicits volunteer lawyers to come to the Dilley facility for a week at a time, drop their rates to "free," and represent asylum-seekers as they make their way through the system. When Steve Burt read that, he thought, "perfect." He called his friend from law school, Engels Tejada, an attorney at the Salt Lake law firm of Holland & Hart, and asked him to join him. The two spent the week between Christmas and New Years at a place Tejada described as "this giant trailer in the middle of a field in south Texas." Their emotional Facebook posts about the experience inspired their friend, Austin Baird, who works with Burt at Vivint Solar, to do a volunteer week of his own in early February. They all three came away discouraged and encouraged. Discouraged by what they heard: horrific stories about cruelty and abuse spelled out in the women's Credible Fear Interviews that made it hard to fall asleep at night. Encouraged by what they saw: women by the hundreds who didn't come across as people looking for a handout, but as people trying to find a better way of life for them and their children. These kinds of statements, and more, they were able to say directly to the immigration judges considering the women's appeals for asylum.

**[AZ] Without final ruling on second Coconino County ICE policy lawsuit, ICE withdraws detainer**

[Arizona Daily Sun](#) [3/2/2019 12:09 AM, Scott Buffon, 19K, AZ] reports the second lawsuit against Coconino County Sheriff's Office policy of honoring ICE detainers has survived where last year's lawsuit on the topic was dismissed. In early February, Immigration and Customs Enforcement dropped its detainer on Jose Montelongo-Morales, who is the focus of the class action lawsuit against Coconino County Sheriff Jim Driscoll and Coconino County Jail Commander Matt Figueroa. The class action lawsuit concerns Coconino County Sheriff's Office's policy on ICE detainers.

**[CA] Deported Cambodian refugee returns to Sacramento under court ruling after burglary sentence**

[Sacramento Bee](#) [3/1/2019 4:11 PM, Alexandra Yoon-Hendricks, 227K, CA] reports deported five years ago, Veasna Meth has had to watch his family grow – and grow up – in Sacramento from nearly 8,000 miles away. But he never lost hope. "I knew one day I would be able to get back," he said Thursday at San Francisco International Airport upon his return from Cambodia after he was deported in 2014. Meth, who moved with his family to the United States when he was less than a year old and grew up in Sacramento, was deported after having served time for a residential burglary he committed when he was 19. Meth's lawyers believe he is the second Cambodian deportee to return to the United States. In 2008, when he was 19, Meth and a few friends decided to go through an open window of a house. Meth later pleaded guilty to residential burglary and served a year-long sentence. When he was released the next year, Immigration and Customs Enforcement officials

picked Meth up, but an immigration judge ruled that residential burglary was not a deportable offense and he was released. The U.S. Department of Homeland Security filed for an appeal of the decision with the Board of Immigration Appeals that was approved. The new immigration judge determined Meth should be deported and issued the removal order in 2013. Life abroad as a deportee quickly became grueling: Within months of arriving in Phnom Penh, Cambodia's capital, Meth got into a major motorbike accident. Meth is one of 700 Cambodian refugees who have been deported from the United States to Cambodia since 2002, advocates report, when the two countries signed a repatriation agreement. Immigration and Customs Enforcement officials have begun making aggressive raids to round up individuals with sometimes years-old convictions and removal orders. [Editorial note: consult source link for video]

## Enforcement News

### **Immigrant Miscarriages in ICE Detention Have Nearly Doubled Under Trump**

[Daily Beast](#) [3/1/2019 11:47 AM, Scott Bixby, 2406K, NY] reports the number of undocumented women who have lost their pregnancies while in government detention nearly doubled in the first two years of President Donald Trump's administration, according to a government review of medical records. Now, following the stillbirth of a baby boy by a woman who was held in U.S. Immigration and Customs Enforcement custody despite being six months pregnant, members of Congress are calling for an investigation into Trump administration policies that they fear are worsening the crisis. According to a manual review of medical records conducted by ICE and provided to The Daily Beast, 10 migrant women appear to have experienced a miscarriage either just prior to or during ICE custody between October 2016 and September 2017. As of Aug. 31, 2018, the same review found that 18 migrant women may have experienced a miscarriage while in ICE custody during the following year-nearly twice as many. ICE policy requires that all females of reproductive age undergo a urinalysis upon entering its custody, a test that can detect hormones associated with pregnancy or a recent miscarriage. There were a total of 1,655 pregnant women booked into ICE custody at some point between October 2017 to Aug. 31, 2018, according to an ICE spokesperson. As of Aug. 31, 2018, there were 60 pregnant detainees in ICE custody. "Generally, with limited insight into a pregnant detainee's medical history, ICE is unable to determine what caused a given miscarriage, and cannot confirm whether a miscarriage began before or after an individual entered ICE custody," the ICE spokesperson told The Daily Beast.

In an April 2018 letter addressed to ICE's acting director and signed by hundreds of groups, watchdogs decried "the arbitrary detention of pregnant people" as a violation of international human rights norms, and called for a return to the Obama-era policies on pregnant migrant detention. The most recent incident occurred last week at the Port Isabel Service Processing Center near Los Fresnos, Texas. The 24-year-old Honduran woman, whose identity was not disclosed, was 27 weeks into her pregnancy, and four days into her detention, when she first complained of abdominal pains while being processed for release at the facility. "At that time, she conveyed that the baby was coming," ICE said in a statement three days after the incident. Before emergency medical services could arrive, the woman delivered an unresponsive boy at the Port Isabel facility. Both mother and son were transported to Valley Baptist Medical Center in Harlingen, Texas, roughly 40 minutes away. ICE waited to reveal the death to the public for three days, the agency said, because "a stillbirth is not considered an in-custody death" for investigative and reporting purposes.

The woman, who was originally kept in ICE custody after the stillbirth of her son, was released from detention on Feb. 26, according to agency spokesperson Dani Bennett. An ICE spokesperson told The Daily Beast that they were "not aware of any concerns regarding medical care of pregnant detainees" at the Port Isabel facility, and called the stillbirth "rare."

### **[MA] A Brazilian Woman Might Be Deported After She Allegedly Assaulted A Man In A MAGA Hat**

[Bustle](#) [3/1/2019 3:17 PM, Morgan Brinlee, 2683K] reports that when police in Falmouth, Massachusetts arrested a woman for allegedly assaulting a man over his "Make America Great Again" hat earlier this month, she was charged with disorderly conduct as well as simple assault and battery. Now the Brazilian woman, Rosiane Santos, faces possible deportation after Immigration and Customs Enforcement agents somehow got wind of her case. Although Falmouth Police released Santos on a \$40 bail, she was later picked up by a different law enforcement agency. According to The Washington Post, ICE's fugitive-operations team detained Santos on Tuesday, entering her into removal proceedings in federal immigration court. ICE spokesperson John Mohan told NBC News that Santos was "an unlawfully present citizen of Brazil." Santos has since been released from ICE custody and given notice to appear in court at a future date. "Santos is currently facing local charges for assault and other offenses," an ICE spokesperson told ABC News in a statement. "She has since been released from ICE custody after being entered into removal proceedings in federal immigration court and provided a Notice to Appear at a future date before an immigration court." In a statement to Boston.com, an attorney representing Santos said she was married to a U.S. citizen and had a green card application pending. Santos' attorney told the newspaper that because of she was arrested and detained by ICE, her case and pending green card application will, instead of being handled by U.S. Citizenship and Immigration Services, be brought before an immigration judge.

### **[NY] UES Porter Has Deportation Stayed, Remains In ICE Custody: Union**

[Upper East Side Patch](#) [3/1/2019 3:26 PM, Brendan Krisel, NY] reports a porter who has worked on the Upper East Side for more than a decade was granted a temporary stay of deportation, but was not allowed to return home from an Immigration and Customs Enforcement detainment facility in New Jersey, the man's union announced this week. Baba Sillah, 48, has been held in ICE custody since a Jan. 31 check in with the agency at its offices in Lower Manhattan, a spokeswoman from 32BJ SEIU said. Sillah will have a hearing on March 15 to determine whether his stay of deportation will be extended and whether the man will be able to return home to his wife and four children while his case moves forward, the spokeswoman said. The Gambian-born immigrant applied with the federal government for permanent residency in the country to better support his wife and children, who are all United States citizens, a union spokeswoman said. Sillah has lived in New York City since 1993 and has worked on the Upper East Side since 2006. Sillah is currently being held in the Hudson County Correctional Center in Kearny, New Jersey and has not been able to see his family since he was taken into custody. A spokesperson for Immigration and Customs Enforcement said in a statement that Sillah was first told to leave the United States in 1999 and was later taken into custody in 2011 but wasn't deported because the agency could not "obtain the proper travel documents for his removal." The spokesperson also said Sillah has local criminal convictions, but did not say which crimes.

### **[NJ] Inspection finds ICE jail's conditions endanger detainees' health, safety**

[Washington Post](#) [3/1/2019 7:00 AM, Joe Davidson, 9763K] Reports of Trump administration immigrant facility conditions that disgrace the United States and endanger detainees continue at a shameful pace. One of the latest comes not from the southern border, where untold numbers of children were separated from their parents, but from Newark. U.S. Immigration and Customs Enforcement, better known as ICE, used Essex County Correctional Facility there to incarcerate up to 928 men in the reprehensible circumstances described in a new report. ICE's oversight is as cold as its name and appallingly lacking. The handling of food at the Newark jail was particularly disgusting. A Department of Homeland Security Office of Inspector General report said an unannounced inspection "identified a host of food safety problems that could endanger the health of detainees." The review found: "Mishandling of meats and storage of moldy bread" potentially contaminating food; "open packages of raw chicken leaking blood all over refrigeration units", and "hamburgers that were foul smelling and unrecognizable." Despite the potential for "salmonella, listeria, and E. coli, leading to serious foodborne illness, we observed facility staff serving this potentially spoiled meat to detainees," the inspectors reported after their surprise visit in July. The review found other problems, including "showers laced with mold," "dilapidated beds" and water dripping from ceilings onto two detainee beds. Serious troubles have been discovered at other ICE detention facilities. It's no surprise that detainees complain of diarrhea and vomiting – symptoms of food poisoning. The inmates filed about 200 food-related complaints from January through June last year. ICE and the jail operators have taken steps to meet the inspector general's recommendations. Why did it take a spot inspection for officials to act? A statement said food storage practices were updated, "All ICE detainee housing units were emptied and thoroughly cleaned and disinfected using steam pressure-washers," and "The facility was given another Contract Discrepancy Report for the poor facility conditions." This is the fourth bad report card in a year. When does a jail fail enough for it to be expelled by ICE for good?

**[NC] Mother who sought sanctuary in church basement in 2017 is still there**

[NBC News](#) [3/3/2019 9:14 AM, Annie Rose Ramos, 4061K] reports that Jackeline Tobar noticed the signs of her mother's absence immediately. In April 2017, her mother, Juana Tobar Ortega, was ordered by Immigration and Customs Enforcement to self-deport to her native Guatemala by May. Instead, she packed up her clothes, left her home and family in Greensboro, North Carolina, and moved into a nearby church where she sought sanctuary. Ortega is one of 46 immigrants staying in churches across 15 states to avoid deportation, according to Church World Service, a faith-based organization that tries to keep a record of people seeking sanctuary in America. Ortega was the first to seek sanctuary in a North Carolina church after President Donald Trump took office. Immigrants who claim sanctuary are counting on an ICE policy that bars federal agents from making arrests inside "sensitive" locations, which include churches, hospitals and schools. Ortega came to the U.S. from Guatemala 25 years ago. At the time, her cousin was living in North Carolina and told her there'd be factory work if she could get there, so she crossed into the U.S. illegally. In 2011, ICE officers raided the fabric company where she worked and she was detained. She was released, but she had to check in with ICE annually. And she received a stay of removal six times. Ortega has no other legal options to remain in the U.S. She's "received extensive access to the legal system, and has no lawful basis to remain in the country," ICE spokesman Bryan Cox said. After spending more than \$20,000 on three immigration attorneys, she doesn't currently have legal representation, said Andrew Willis Garces, coordinator with Siembra North Carolina. [Editorial note: consult source link for video]



**[GA] Savage's felony theft charge dropped**

[Atlanta Journal And Constitution](#) [3/1/2019 2:17 PM, Melissa Ruggieri, 644K, GA] reports that two weeks after being booked into and quickly released from a South Georgia jail on a felony theft by deception warrant, 21 Savage has cleared one legal hurdle. The Liberty County District Attorney's office rejected the felony case, which stemmed from a September 2016 concert booking, and deemed it a civil matter. Club Bomaz promoter Sadaetirs Smith filed for a warrant in October 2016, but didn't pursue the matter until 21 Savage was arrested by U.S. Immigration and Customs Enforcement on Feb. 3 for overstaying his visa and being in the country illegally. His clearance in the felony case, which his attorneys called "a civil contract dispute," means there are no outstanding warrants against 21 Savage as he awaits the next steps in his deportation case.

Reported similarly: [The Daily Caller](#) [3/1/2019 1:55 PM, Lauryn Overhultz, 867K, DC]

**[GA] Officers capture escapee from S. Georgia immigration detention center**

[Atlanta Journal Constitution](#) [3/2/2019 7:00 PM, Jeremy Redmon, 55K, GA] reports authorities on Sunday morning apprehended a Honduran man who escaped from a barbed wire-rimmed federal immigration detention center in South Georgia over the weekend. An officer searching for Erlin Gutierrez-Maradiaga told a humanitarian organization in Lumpkin the detainee climbed three fences to escape Stewart Detention Center. Gutierrez-Maradiaga disappeared at about 7:20 p.m. Saturday, according to CoreCivic, the corrections company that operates Stewart through an agreement with U.S. Immigration and Customs Enforcement. Calling him a "low-security detainee with no criminal past," CoreCivic said he was captured Sunday morning after he was spotted walking along U.S. 27 near Stewart. "ICE officials immediately began an investigation of the circumstances surrounding the incident. Simultaneously, the Stewart County Sheriff's Office began a search for Gutierrez-Maradiaga in the area around the facility." Gutierrez-Maradiaga is the first person to ever escape Stewart, according to CoreCivic.

Reported similarly:

[Seattlepi](#) [3/3/2019 11:37 AM, Staff, 243K, WA]

**[FL] 'We're scared they will kill us.' Venezuelan family living in Tampa faces deportation to a country in crisis**

[Tampa Bay Times](#) [3/1/2019 11:30 AM, Tony Marrero, FL] reports Madison Paredes held a Snow White doll as she sat Friday morning clutched in her mother's arms. The little girl wore a pink bow in her hair and a shirt with the word "happy" across the chest. But her parents weren't happy. They were nervous and sleep-deprived. William Paredes, his wife Jennifer Infante and their two children arrived at the Immigration and Customs Enforcement office on Cypress Street hoping to stop the deportation process that threatens to send them back to their native Venezuela. A former police officer there, Paredes and his family say they received death threats from government-backed drug traffickers for his role in a big drug bust. Since they left five years ago, President Nicolás Maduro has tightened his grip on a country now in the throes of a political, economic and humanitarian crisis. Condemning Maduro's human rights abuses, President Donald Trump's administration is working to pressure Maduro to step down. At the same time, however, Trump's immigration officials have been working to send Paredes, Infante and their son back to the country. "If we go back," Paredes said in Spanish, "we're scared they will kill us."

Paredes, 36, said he was working as a K-9 officer for the city of Maracaibo in 2013 when he was part of a big cocaine bust. Shortly after, he started receiving threatening phone calls from members of a collective, or colectivo in Spanish. The armed groups emerged during the tenure of President Hugo Chávez and control vast territory across Venezuela, financed in some cases by the drug trade. After he was threatened at gunpoint, Paredes knew it was time to go. He and Infante, 35, came to Tampa with their son Sebastian on a tourist visa in 2014 and applied for asylum. As their case worked its way through the system, they made a life here. Paredes works in construction; Infante is a phlebotomist. Madison was born in Tampa so she's a U.S. citizen. Sebastian is now 10. To qualify for asylum, migrants must prove they face an imminent threat of persecution because of their race, religion, nationality, political opinion or membership in a particular social group. Paredes and his family easily meet that standard, said Javier Torres, executive director of the Migrants Foundation in Tampa. But the family's application and subsequent appeals were denied by the U.S. Citizenship and Immigration Services. In 2017, an immigration judge ordered their removal from the U.S. The reasons for the asylum denials were unclear this week. "Both cases have received full due process with the Executive Office for Immigration Review," ICE spokeswoman Tammy Spicer said in a statement. "ICE and Enforcement and Removal Operations will continue to support federal law, agency policy and the order of the courts."

**[FL] He exposed abuse at a Florida immigrant detention center. Now he's in prison**  
[Miami Herald](#) [3/3/2019 7:42 PM, Monique O. Madan, 535K, FL] reports weeks after a documentary exposing injustices at a South Florida for-profit immigration detention center debuted at a national film festival, Claudio Rojas— the film's inside source— was arrested by U.S. Immigration and Customs Enforcement in Miramar during his annual visa check-in, records show. Records show Rojas remained detained at Krome detention center in South Miami-Dade as of Sunday. His attorneys say he was apprehended Wednesday without cause and is now facing immediate deportation. Rojas— an Argentine immigrant turned fiery activist who has made national headlines over the last decade — became a gold mine of information to the National Immigrant Youth Alliance after he was first imprisoned by ICE in 2010 for overstaying his visa. He lives in Miramar with his wife and his two adult children, and just became a grandfather. The 53-year-old leaked the complex workings of the Broward Transitional Center, a for-profit institution that detained hundreds of immigrants without trial, filmmakers said. The Broward facility serves as a holding space for impending deportations of immigrants who came into the country illegally. According to one of his lawyers, Sandy Pineda, Rojas has a pending T Visa application. His lawyers have also filed a stay of deportation, which has been denied, but has since filed a motion to reopen it. T Visas are issued to victims of human and labor trafficking. His attorneys say Rojas became an applicant after being victimized by an employer, a case under investigation by the U.S. Department of Labor. According to ICE policy, people with pending T Visas are granted protection from deportation and can serve as a pathway to permanent resident status.

**[MI] How a U.S. Marine veteran was detained by ICE, and what's happened since**  
[Grand Valley Advance](#) [3/2/2019 7:35 AM, Justin P. Hicks, 480K, MI] reports that late last year, a U.S. Marine veteran who suffers from post-traumatic stress disorder was arrested following an incident at a Grand Rapids hospital. Lance Cpl. Jilmar Ramos-Gomez, 27, pleaded to a misdemeanor charge of trespassing. After 24 days in the Kent County Jail, he was set to be released on bond but was detained by U.S. Immigration and Customs Enforcement agents. Ramos-Gomez faced potential deportation proceedings, despite being a U.S. citizen. He was released after three days when an immigration-law attorney provided

documents to ICE to prove his citizenship. The aftermath of the incident has carried over into 2019, with activists and civil rights groups demanding action and answers as to how a military veteran in need of treatment for mental illness was on the path to be wrongly deported. Further, the Grand Rapids Police Department has come under fire for Grand Rapids Police Capt. Curt VanderKooi's handling of the case, and some in the community want Grand Rapids to stop cooperating with ICE agents.

[Detroit Free Press](#) [3/3/2019 10:41 AM, Staff, 334K, MI] reports a western Michigan police officer has been placed on administrative leave after activists accused him of racial profiling by notifying immigration officials about the arrest of a mentally ill Latino war veteran who is actually a U.S. citizen. Grand Rapids City Manager Mark Washington on Thursday announced Lt. Curt VanderKooi's leave pending a city review of whether he "was properly held accountable." Activists called for VanderKooi's firing after Immigration and Customs Enforcement held Jilmar Ramos-Gomez for three days in December before releasing the Michigan-born man. VanderKooi told ICE about Ramos-Gomez' November arrest at a hospital, referring to him as "loco," or crazy. Interim police Chief David Kiddle says VanderKooi was reprimanded for "unprofessional language." Dozens of people attended a city commission meeting Tuesday to express displeasure with how Ramos-Gomez was treated.

#### **[TX] Immigrant Groups Demand Release of 9 Babies From ICE Detention**

[Huffington Post](#) [3/1/2019 8:08 AM, Mary Papenfuss, 6834K] reports at least nine babies are being detained by U.S. Immigration and Customs Enforcement at a Texas facility with inadequate medical care, according to a complaint filed Thursday with the federal government calling for their immediate release. The babies – all less than a year old, with some younger than 6 months – are being held with their mothers at a detention facility in Dilley in west Texas. The complaint, filed by immigration-rights groups, cites an "alarming increase" in the number of immigrant babies in government detention, and expresses "grave concerns" about the lack of medical services for this "vulnerable population." Dilley is located more than an hour from the nearest metropolitan area, San Antonio, which offers medical services that would be required in the event of an emergency. Mothers in the Dilley facility have complained that their babies' nursing and sleep habits have changed dramatically in detention and that they are getting sick, according to the complaint. ICE responded in a statement that it is "committed to ensuring the welfare of all those in the agency's custody, including providing access to necessary and appropriate medical care."

[Pacific Standard](#) [3/1/2019 10:36 PM, Jack Herrera, 90K, CA] reports, "As of March 1, 2019, there are 17 infants under one year old among the family units at the South Texas FRC," writes Danielle Bennett, an ICE spokesperson. In the statement, ICE acknowledges the upward trend in detained infants: "As the number of family units crossing the border into the U.S. has increased, so too has the frequency of those with younger children, including infants, who are being encountered at the border by U.S. Border Patrol and turned over to [ICE]. As such, ICE is seeing an uptick in the number of family units with infants at its family residential centers (FRCs)." The statement Bennet provided outlined the measures ICE takes to ensure the health of people in its custody. "ICE takes very seriously the health, safety and welfare of those in our care," Bennet writes.

Reported similarly:

[San Antonio Express-News](#) [3/1/2019 9:02 AM, Silvia Foster-Frau, 39K]

[KGBT](#) [3/3/2019 11:04 PM, Staff, 8K, TX]

**[TX] Nearly 200 immigrants in Texas detention facilities have mumps**

[The Texas Tribune](#) [3/1/2019 11:00 AM, Marissa Evans, 102K, TX] reports nearly 200 immigrants are suffering from mumps at detention facilities across Texas, according to a state health agency. The Texas Department of State Health Services says 178 detainees had confirmed cases of mumps as of Feb. 21. Another five cases were reported among detention facility employees. Texas detention centers account for 76 percent of mumps cases at such facilities nationwide, according to federal Centers for Disease Control and Prevention data. Lara Anton, a spokeswoman for the Department of State Health Services, said in an email that patients range in age from 13 to 66, and that "There has been no reported transmission to the community." She added that the state doesn't know the vaccination status of detained migrant adults or the children who entered the U.S. with them – but that "all unaccompanied minors are vaccinated when they are detained." There were 191 cases of mumps reported in Texas in 2016 – the most cases in 22 years.

**[TX] They defended their country in war. Now they're fighting at home against deportation to Mexico**

[KVUE](#) [3/1/2019 10:46 PM, Oscar Margain, 78K, TX] reports that an Iraq War veteran is facing deportation proceedings after being detained at the U.S.-Mexico border. Edgar Baltazar Garcia's family is asking the government to allow him out on bond while he fights for his case in immigration court. Garcia, 35, was pulled over by U.S. Customs and Border Protection Feb. 1 while driving across the Hidalgo-Reynosa International Bridge after an agent pulled up his felony conviction record. Garcia is now being held by U.S. Immigration and Customs Enforcement at the Port Isabel detention center, awaiting his first hearing. The detained veteran was sentenced in 2018 to six months probation for an aggravated assault with a deadly weapon against a relative. Immigration attorney Carlos Garcia, who has no relation to the family, said that even non-citizen veterans can be deported once they commit a crime and many don't know they shouldn't leave the country. Garcia suffers from post-traumatic stress disorder and traumatic brain damage stemming from his deployment to Iraq in 2004. ICE confirmed to the KENS 5 Border Team that Garcia is in their custody, but would not say if he will be released on bond. The agency makes determinations of release on a case-by-case basis and exercises discretion when it comes to military veterans. A hearing for Garcia's case is set for March 6 before an immigration judge, who will ultimately decide his fate. [Editorial note: consult source link for video]

**[TX] Memo shows how Austin police cooperated with ICE last year**

[Austin American Statesman](#) [3/1/2019 10:15 PM, Mark D. Wilson, 123K, TX] reports a memo to city leaders from Austin Police Chief Brian Manley says Austin police asked one detainee or arrestee about his or her immigration status last year. The memo is a response to a directive from City Council in June requiring Austin police to document and report instances in which officers inquire about an individual's immigration status and the number of requests for assistance police received from U.S. Immigration and Customs Enforcement. In the sole instance listed in the memo, the arrestee or detainee was contacted after a collision and was asked about his or her immigration status for "identification related to a collision investigation," the memo says. The memo also says six Austin police officers assisted in federal immigration enforcement activities last year for a total of 72 hours, tallying a total cost of \$3,968.91. Finally, the memos outlined 581 instances in which the Police Department provided information in response to requests for help or cooperation from federal immigration officers.

Reported similarly: [CBS Austin](#) [3/1/2019 7:20 PM, Staff, 38K, TX]

**[WA] City Council pauses plan to send Olympia inmates to Yakima over ICE concerns**

[The Olympian](#) [3/1/2019 3:56 PM, Abby Spegman, 15K, WA] reports Olympia City Council members say they want more information about how immigrants will be treated before approving a deal that would send inmates at the city's jail to Yakima. Olympia's 28-bed city jail already sends inmates to Lewis County in an effort to manage its population and keep beds open, said Chandra Brady, Olympia Police Department's support administrator. Council members worried policies there could conflict with Olympia's status as a sanctuary city. Yakima County last month settled a lawsuit on its use of immigration holds brought by a former inmate who argued that violated his Fourth Amendment right against unreasonable seizure. The county agreed to not hold those eligible for release on local charges in response to requests from immigration authorities. It will continue to detain people in ICE custody. The Yakima Herald-Republic reports the jail will do so if an ICE officer serves an administrative warrant in person or corrections officers receive a warrant signed by a federal judge.

**[CA] Congolese father gets temporary relief from deportation**

[San Diego Union Tribune](#) [3/1/2019 4:25 PM, Kate Morrissey, 214K, CA] reports a Congolese father who lost his asylum case after being separated from his family at the border received another temporary reprieve from his pending deportation on Friday. Constantin Bakala, 48, will be allowed to remain in the U.S. while the Board of Immigration Appeals decides whether to reopen his case. Bakala fled his home in the Democratic Republic of Congo with his wife and seven children, saying he was being targeted for his participation in an opposition party that was pushing for more democracy in the country. Bakala went to an immigration detention facility in Georgia while his family was released and settled in southeast San Diego. He tried to represent himself in immigration court and lost. He filed his own appeal and lost that as well. Last week, the 11th Circuit Court placed an emergency order to keep Bakala in the country for a week. When asked about Bakala's situation, Bryan Cox, a spokesman for Immigration and Customs Enforcement, said Bakala is in custody awaiting deportation. "Mr. Bakala has received all appropriate legal process under federal law, to include multiple appeals, and he has no lawful basis to remain in the U.S.," Cox said. The Board of Immigration Appeals put the new stay of removal in place the day that the emergency block on his deportation set by the 11th Circuit Court ended.

Reported similarly: [FOX5 San Diego](#) [3/1/2019 5:32 PM, Andrew Nomura, 62K, CA]

**{End of Report}**





# EOIR MORNING BRIEFING

U.S. Department of Justice  
Executive Office for Immigration Review  
By TechMIS

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**Tuesday, Mar. 5, 2019**

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## Policy and Legislative News

### Record number of families, cold reality at border

[Washington Post](#) [3/4/2019 11:49 AM, Nick Miroff] reports in a dusty lot along the U.S.-Mexico border fence, a single Border Patrol agent was stuck with few options and falling temperatures. A group of 64 parents and children had waded through a shallow bend in the Rio Grande to turn themselves in to the agent on the U.S. side. He radioed for a van driver, but there were none available. By 2 a.m., the temperature was 44 degrees. The agent handed out plastic space blankets. The group would have to wait. Groups like this arrived again and again in February, one of the coldest and busiest months along the southern border in years. U.S. authorities detained more than 70,000 migrants last month, according to preliminary figures, up from 58,000 in January. The majority were Central American parents with children who arrived, again, in unprecedented numbers. During a month when the border debate was dominated by the fight over President Trump's push for a wall, unauthorized migration in fiscal 2019 is on pace to reach its highest level in a decade. Department of Homeland Security officials say they expect the influx to swell in March and April, months that historically see large increases in illegal crossings as U.S. seasonal labor demand rises.

The Trump administration has begun sending some asylum-seeking Central Americans back to Mexico to wait while their claims are processed, but so far that experiment has been limited to California's San Ysidro port of entry. About 150 migrants were sent back across the border in February, according to Mexican authorities, but that is a small fraction of the more than 2,000 unauthorized migrants coming into U.S. custody on an average day. Homeland Security officials said Friday that the pilot program, which they call Migrant Protection Protocols, will expand to El Paso and potentially other locations in coming

weeks, predicting that the number of Central Americans sent back would grow "exponentially." Some of the cities where they will wait are among the most dangerous in Mexico. Not all Central American families are economic migrants. Others, especially from Honduras, arrive with stories of gang threats and violent attacks. After crossing the border, a U.S. asylum officer performs a preliminary screening to determine whether their fears of persecution are credible enough to deserve a hearing with an immigration judge. The problem, Homeland Security officials say, is that a growing portion of those who pass the initial screening never appear in court. They know asylum standards are tightening. Or, like Martinez, they have a prior deportation from the United States that all but disqualifies them from getting asylum. Once released into the U.S. interior, some shed their monitoring bracelets and slip into the shadows to remain in the United States, a country where wages are 10 times higher than in Central America.

Reported similarly: [Breitbart](#) [3/5/2019 12:03 AM, Neil Munro, 2015K]

### **Open Wounds, Head Injuries, Fever: Ailing Migrants Suffer at the Border**

[New York Times](#) [3/5/2019 5:01 AM, Sheri Fink and Caitlin Dickerson, 20737K, NY] reports that it was nearly 9 p.m., hours after the makeshift clinic for newly arrived migrants near the Mexican border in Texas was supposed to close, but the patients would not stop coming: A feverish teenager with a vile-smelling wound on his foot. The steady flow of migrants who arrived that night at the volunteer respite center operated by Catholic Charities here in the Rio Grande Valley had just been released by Customs and Border Protection after being apprehended near the border. The new arrivals had been in federal custody for up to 72 hours, but most had received no real medical attention -- the volunteer physicians at the private clinic were the first doctors many had seen since crossing the border. Six adults died in C.B.P. custody in the fiscal year ending in October, at least three of whom had a medical emergency shortly after being apprehended. A New York Times review of records and dozens of interviews with migrants, agents, researchers and health workers suggest that some of these deaths were not anomalies, but rather signs of entrenched problems that have repeatedly put detainees with medical conditions at risk. Border Patrol facilities until now have failed to provide comprehensive health screenings for those in their care. In the coming days, the agency is expected to announce significant changes related to the health of migrants, including policies requiring Border Patrol agents to conduct more thorough interviews of each migrant who is processed through the system, and to refer all those who need care to a medical provider. The agency is also building a large new processing center in El Paso and adding \$47 million to a private contract for migrant medical care. "We're doing everything we can to ensure rapid medical care when needed," Kirstjen Nielsen, the Homeland Security secretary, said at the White House in January.

### **Some Immigrant Parents Separated From Their Children May Soon Be Reunited, But The Fight Isn't Over**

[Romper](#) [3/4/2019 3:48 PM, Caitlyn Hitt, 216K] reports after crossing into the United States at the southern border with their children in 2018, many immigrant parents were deported, leaving their kids in U.S. custody. This weekend a reported 29 immigrant parents separated from their children after they were sent back to their home countries are asking to be reunited, according to NBC News. The group -- who are among 430 parents separated from their children and deported under the Trump administration -- reportedly turned to the border with immigration lawyers, religious leaders, and supporters in tow, the news outlet stated, but their fight is far from over. The families were forced to leave 27 children in U.S.

custody, according to The Hill. The youngest of them, NBC News reported, is 5 years old. Some of the 29 immigrant parents have been separated from their children for close to a year, while the longest separation has been 14 months, members of an unnamed private organization representing the parents told NBC News. Attorneys for the 29 deported parents told ABC News that when they arrived, they were initially told by Customs and Border Protection agents they were at capacity and could not process them. Undeterred, they waited 10 hours, according to the news outlet, before they were taken to present documents to agents and gather information about the whereabouts of their children. At least a few of the deported parents who returned to the U.S. this weekend intend to file new applications to seek asylum in addition to reuniting with their children, according to ABC News. This is a huge victory for these families, but this fight isn't over until they're reunited with their kids.

### **Feds Must Process Immigrant Kids Under Obama Program**

[Law360](#) [3/4/2019 6:11 PM, Kevin Penton] reports a California federal court on Friday ordered the Trump administration to continue processing hundreds of Central American children conditionally approved for an Obama-era program meant to reunify them with their families in the U.S., but allowed the federal government to otherwise end the program. The U.S. Department of Homeland Security must use a previous set of policies and procedures to process the 2,714 children who had already been conditionally approved under the Central American Minors parole program, but it may otherwise terminate the program, according to the order in the Northern District of California partially granting a preliminary injunction. The immigrant families sued the administration in June after it allegedly stopped scheduling interviews for CAM parole applicants following President Donald Trump's inauguration in January 2017. In August 2017, the administration formally announced in the Federal Register that U.S. Citizenship and Immigration Services would no longer accept CAM parole applications and that all conditional approvals were rescinded for those who had not yet traveled to the U.S. The administration announced in November 2017 that it would no longer accept applications for the refugee portion of the CAM program either. Judge Laurel Beeler in December dismissed the bulk of the case, while allowing to proceed the claim that the administration's revocation of conditional approval for thousands of immigrants was arbitrary and capricious, according to court documents.

### **Trump's Grip Shows Signs of Slipping as Senate Prepares to Block Wall Emergency**

[New York Times](#) [3/4/2019 6:11 PM, Sheryl Gay Stolberg and Emily Cochrane] reports that Senator Mitch McConnell, the majority leader, conceded on Monday that he could not stave off final passage of a resolution overturning President Trump's national emergency declaration, setting up a rebuke to Mr. Trump amid signs that the president's grip even on his own party in Congress may be slipping. With Senator Rand Paul of Kentucky joining three other Republicans — Susan Collins of Maine, Lisa Murkowski of Alaska and Thom Tillis of North Carolina — in announcing he would support the measure, Democrats now have the 51 votes they need to secure passage and to force Mr. Trump to issue the first veto of his presidency. While a veto is highly unlikely to be overturned, the congressional majority that forces it will stand as a powerful rejection of the tactics Mr. Trump has used to fulfill his top campaign promise to build a wall on the southern border — and will apparently be the first time since passage of the National Emergencies Act of 1976 that Congress has voted to overturn an emergency declaration. Some Republicans are trying to find another way out. Senator Lamar Alexander, Republican of Tennessee, has urged the president to reconsider using military construction money to fund the wall. Other senators, including Mr.

Paul, have raised the possibility of amending the National Emergencies Act to curtail the powers available to the president and give Congress more oversight over a declaration.

### **Judge rejects Trump administration's attempt to withhold public safety grants from sanctuary cities**

[The San Francisco Examiner](#) [3/4/2019 6:10 PM, Joshua Sabatini, CA] reports that a federal judge on Monday struck down conditions the Trump administration tried to place on federal law enforcement grants that could have blocked sanctuary cities like San Francisco from receiving the funding. Judge William H. Orrick found unconstitutional conditions the Department of Justice placed on its 2018 public safety grants. One new condition in the 2018 grants was a requirement prohibiting a grant recipient from disclosing information "of any federal law enforcement information in a direct or indirect attempt to conceal, harbor, or shield from detection any fugitive from justice." The Department of Justice argued the condition was needed after Oakland Mayor Libby Schaaf warned immigrants in February 2018 of an imminent raid in the Bay Area by U.S. Immigration and Customs Enforcement. Orrick said the proposed non-disclosure condition was too broad and struck it down. City Attorney Dennis Herrera announced the ruling Monday and noted it was his third legal victory against Trump administration attempts to overturn policies protecting immigrants in sanctuary cities. Supporters of sanctuary policies argue cities are safer when immigrants can report crimes to local law enforcement without fear of deportation. Monday's ruling came in a lawsuit filed by San Francisco in U.S. District Court that sought to overturn conditions placed on 2018 law enforcement grants known as the Edward Byrne Memorial Justice Assistance Grants, which are doled out annually by the Department of Justice. Orrick ruled that the executive order violated the constitution, a ruling that was upheld by the Ninth Circuit Court of Appeals on Aug. 1, 2018.

### **How hard is it for Venezuelans to get asylum in the U.S.?**

[Politifact](#) [3/4/2019 3:00 PM, Amy Sherman] reports the Florida Democrats portrayed President Donald Trump as a hypocrite on Venezuela. "The Trump administration has denied almost half of the Venezuelan applicants looking for asylum in the U.S., and this number will continue rising due to Trump's hard-line stance on immigration," the Florida Democratic Party said in a Feb. 15 statement to the press. The Democrats relied on a credible organization for their claim, the Transactional Records Access Clearinghouse (TRAC) at Syracuse University. "Affirmative asylum" is filed voluntarily with USCIS. If USCIS is unable to approve a case, the agency may refer it to immigration court. "Defensive asylum" applications go before an immigration judge and are filed by individuals who are in removal proceedings. In fiscal year 2018, 28,485 Venezuelans filed affirmative applications with USCIS. That's almost double what it was in 2016. In September 2018, nearly one-third of all affirmative asylum applications were from Venezuela. So far, in fiscal year 2019, 52 percent were denied. This is the "almost half" that the Democrats are citing. But as TRAC explains, that data doesn't include cases decided by USCIS. A high number of denials isn't unique to Venezuelans. TRAC data for all nationalities show that about two-thirds of asylum applications were denied in 2018. "The overall asylum grant rate before immigration court is the lowest it has been since 1999," Pierce said. "So it seems likely that the Trump administration's policies have had an effect of increasing scrutiny for asylum seekers."

### **40 Years After The Vietnam War, Some Refugees Face Deportation Under Trump**



[KAWC](#) [3/4/2019 9:33 AM, Staff, AZ] reports more than four decades after the Vietnam War brought waves of expatriates to the United States, the Trump administration wants to deport thousands of Vietnamese immigrants, including many refugees, because of years-old criminal convictions. U.S. officials have been working behind the scenes to convince the Vietnamese government to repatriate more than 7,000 Vietnamese immigrants with criminal convictions. They have all been ordered removed from the U.S. by a judge. Among those facing deportation is Vu, who has lived in Boston for 20 years. He asked not to use his last name because he fears for his safety if he ever goes back to Vietnam. "They don't like me [in Vietnam] because I'm Amerasian. They would tease me and throw rocks at me," he says through a translator, looking down at the floor. The U.S. government is trying to deport Vu over two criminal charges of assault and larceny dating back to 2001, even though both of those convictions have since been vacated. At the moment Vietnam won't repatriate immigrants like Vu. The country only accepts Vietnamese who went to the United States after 1995, the year the two countries resumed diplomatic relations. "After years of negotiating, Vietnam essentially agreed to take back people who came to the U.S. after 1995 but not those that came to the U.S. before 1995," says Phi Nguyen with the civil rights group Asian Americans Advancing Justice in Atlanta. Now, the Trump administration wants to expand on that agreement to be able to deport Vietnamese immigrants who came here before 1995 and have committed a crime. Katie Waldman, a spokesperson for the Department of Homeland Security, says removing these Vietnamese nationals is a priority for the administration. They have been convicted of a range of crimes, from burglary and drug charges to violent crimes.

#### **[MA] Brockton Proposes Keeping Immigrant Arrest Info Away From ICE**

[Brockton Patch](#) [3/4/2019 3:16 PM, Jimmy Bentley, MA] reports the City Council will consider a proposed ordinance that, if approved, prevents police from reporting information about arrests to federal immigration authorities. The "Brockton United Ordinance" was first presented at the City Council's ordinance committee meeting last Wednesday. If approved by the full council, "sanctuary city" protections become law in Brockton. But first, the ordinance committee will meet again March 14 to get input from Police Chief John Crowley, Mayor Bill Carpenter and Plymouth County District Attorney Tim Cruz.

#### **[WI] Sheriff Won't Work With Federal Immigration**

[Urban Milwaukee](#) [3/4/2019 10:21 AM, Corri Hess, 12K, WI] reports the Milwaukee County Sheriff's Office will no longer offer information to immigration officials about people detained in the jail. Sheriff Earnell Lucas, who took office Jan. 7, said he wants to avoid lawsuits other law enforcement agencies across the country have faced for holding inmates for up to 48 hours longer than they should have been detained so U.S. Immigration and Customs Enforcement agents could interview and possibly take custody of the inmate. Lucas announced last week he had established a policy ensuring that absent a valid judicial warrant, information would no longer be shared with ICE. Lucas' policy is a shift from former Sheriff David Clarke's administration, which not only fully cooperated with ICE, but also attempted to sign a 287(g) agreement to give deputies the authority to act as ICE representatives. Milwaukee County was not approved for that type of an agreement after community protests. Though the neighboring Waukesha County Sheriff's Department has signed a 287(g) agreement with the federal government.

[Milwaukee Independent](#) [3/4/2019 11:49 AM, Staff, WI] reports Milwaukee County Sheriff Earnell Lucas announced several reforms with public safety policies on February 27,

including the fulfillment of a campaign promise that his agency would no longer share information with or hand people over to Immigration and Customs Enforcement (ICE) in absence of a judge's warrant. In response, representatives of ICE declared that they would "continue to conduct at-large arrests in local neighborhoods and at work sites, which will inevitably result in additional collateral arrests." "The statement put out by ICE is rash, ill-advised, and unworthy of any institution of the United States government," said Steven Shea, Milwaukee County Supervisor. "It is written in the fear mongering tone of an authoritarian regime." Voters in North Carolina and in Wisconsin have made it clear that they want sheriffs who will uphold immigrant rights and prioritize public safety over discriminatory, cruel anti-immigrant politics. Retaliation by ICE is believed to undermine democracy and threatens the safety of local communities.

#### **[TX] APD Releases First Report on ICE Interactions**

[KLBJ-AM](#) [3/4/2019 5:43 PM, Staff, TX] reports Austin Chief of Police Brian Manley has released APD's first report on its interactions with federal immigration agents, as well as how many times assistance was given to agencies such as the FBI or the Border Patrol. According to the memo, police had a total of 581 interactions with federal officials last year regarding immigration issues ranging from requests for driver info to arrest records and booking photos. Only one inquiry was made about a person's immigration status. Manley says that was in regard to a traffic incident in which that inquiry was warranted. Interaction with the various agencies is something that is virtually unavoidable, according to Ken Casaday, president of the Austin Police Association. "What people have to realize, and Greg Casar needs to realize, is that we have immigrants that commit violent crimes here every day. When they try to flee back to Mexico, you're working with federal agents, you're working with ICE, you're working with the Border Patrol," says Casaday.

Reported similarly: [Austin American Statesman](#) [3/4/2019 7:05 PM, Katie Hall, 123K, TX]

#### **[TX] Violent Criminals, Drug Smugglers Exploit Incomplete Border Barriers in Texas**

[Breitbart](#) [3/4/2019 10:33 AM, Bob Price, 2015K] reports violent criminal aliens, gang members, and drug smugglers continue to exploit gaps in border barriers in the Rio Grande Valley Sector to move into the U.S. from Mexico. Agents assigned to the Rio Grande City Station patrolling near Roma, Texas, came upon a Salvadoran national who had just crossed the border illegally last week. The agents transported the man to the station where they conducted a biometric background investigation on the subject, according to information provided by Rio Grande Valley Sector Border Patrol officials. The background investigation revealed the man to be a previously deported criminal alien who is a member of Mara Salvatrucha. His record includes an extensive history in New York, where police arrested him for criminal possession of a weapon with intent to use and resisting arrest, officials stated. A few days later, Weslaco Station agents arrested an Ecuadoran man after he illegally crossed the border. After transporting the migrant to the station, agents learned he has an active warrant from Anoka County, Minnesota, for a charge of 3rd degree sexual conduct, Border Patrol officials stated.

#### **[AZ] Large Migrant Groups Cross Border Barrier into Arizona, Say Feds**

[Breitbart](#) [3/4/2019 3:14 PM, Bob Price, 2015K] reports Ajo Station agents patrolling west of the Lukeville Port of Entry on Saturday encountered a large group of migrants illegally crossing an outdated vehicle barrier. The migrants came across in smaller groups until they eventually surpassed 100, U.S. Customs and Border Protection officials tweeted. The photo

shows a large group of mostly Central American migrants with very young children who are brought to the area by cartel-connected human smugglers. Border Patrol agents provide an initial medical screening to determine if any migrants need medical attention. The migrants are then transported to the Ajo Station where they undergo a background investigation to look for any prior criminal or immigration history. One day earlier, Ajo Station agents came upon another group of 86 in the same area west of the Lukeville Port of Entry where the migrants could have legally crossed the border to request asylum. Instead, human smugglers took them to this remote location to cross the border illegally. Border Patrol officials say that the Mexican drug cartels utilize these large groups of migrants to distract and tie up Border Patrol agents who are obligated by law to prioritize the processing of migrant families and unaccompanied minors, Breitbart News reported. The tactics utilized by certain factions of three Mexican cartels prompted U.S. Representatives Chip Roy and Mark Green to write U.S. Secretary of State Mike Pompeo and request that these groups be designated as Foreign Terrorist Organizations.

### **[CA] Novato adopts inclusiveness resolution on immigration**

[Marin Independent Journal](#) [3/4/2019 6:11 PM, Will Houston, 34K, CA] reports that following the Marin County Board of Supervisors' lead, the Novato City Council adopted a formal stance to counter recent federal immigration enforcement practices. Mayor Pro Tem Denise Athas brought the resolution to the council for consideration, calling it "a mission of Novato." The resolution calls for the city to "promote and support family unity, inclusiveness, equity, community security, dignity and due process for all residents of the city of Novato regardless of immigration status." Novato's resolution was based on a similar one passed by the Board of Supervisors nearly two years ago. Athas asked the council in January to consider adopting such a resolution that would formalize actions the city has already taken. The council also was set to discuss whether to adopt a formal stance on California's "sanctuary state" law, which was signed into law by former governor Jerry Brown in 2017 under SB 54. The council skipped this discussion because of the lateness of the hour and a busy meeting agenda. The council did not indicate whether it would hold the discussion at a future meeting.

## **Legal News**

### **3rd Circ. Revives Asylum Claims For Ecuadorian Taxi Driver**

[Law360](#) [3/4/2019 3:22 PM, Suzanne Monyak] reports the Third Circuit has revived an Ecuadorian taxi driver's bid for asylum and other protections based on his claims that he was threatened by drug cartel members after he refused to help them transport drugs over the Ecuador-Peru border and then contacted local authorities. In a nonprecedential opinion Friday, the appellate panel held that the Board of Immigration Appeals had not properly considered whether Jose Luis Solano-Chamba was a member of a "legally cognizable" social group — people suspected by a drug cartel of reporting its crimes to the police — when the board dismissed his appeal. The appeals court stopped short of ruling on whether that proposed social group is legally cognizable. But it found that the immigration judge's failure to analyze that part in the decision, which the BIA then upheld, had hurt Solano-Chamba's case, punting the question for the BIA to now decide.

An immigration judge must conduct an "independent analysis" to decide whether a person is eligible for asylum based on membership in a "particular social group," the appeals court said. But the immigration judge in this case failed to determine whether Solano-Chamba's

proposed social group of individuals suspected of reporting the drug cartel to the police was legally cognizable, which the BIA affirmed "perhaps under the mistaken impression that the IJ had followed the usual analytical paradigm," the opinion says. The court also found that Solano-Chamba likely met much of the other criteria to establish asylum eligibility, saying that the evidence presented "would compel any reasonable adjudicator to conclude that Solano-Chamba is a member of a group composed of persons whom the drug cartel suspects of reporting their illegal activities to the police." The court also held that there is a "strong possibility" that when the BIA reviews Solano-Chamba's case anew, it will find that the cartel did suspect Solano-Chamba of reporting its alleged activities to the authorities and that this perception was "at least one central reason" for the threats. The immigration judge found Solano-Chamba's testimony credible, but originally denied his bids for asylum, withholding of removal and relief under the United Nations Convention Against Torture. The judge reasoned that Solano-Chamba's first proposed social group of people targeted by the drug cartel to transport drugs because of their occupations was not legally cognizable, while Solano-Chamba had not established that he was a member of the second proposed group of people suspected of tattling on the cartel. The BIA affirmed, and Solano-Chamba filed the instant appeal at the Third Circuit in February 2018. In Friday's decision, the appeals court also granted the petition to review his claim for a withholding of removal based on the same reasoning employed in the asylum claim. But the court declined to revive his claims for Convention Against Torture relief, finding the BIA had not abused its discretion in denying it.

**[IL] Cozen O'Connor Attorneys Win Asylum for Mexican Mother and her Children**

[Chicago Daily Herald](#) [3/4/2019 7:39 AM, Christine Saba, IL] reports Cozen O'Connor attorneys Julie Trester and Corey Hickman, of the firm's Chicago office, recently won asylum for their client, a 21-year-old Mexican mother and her children. As detailed in an interview with the Chicago Daily Law Bulletin, the two attorneys worked on the pro bono case for nearly two years, along with help from the National Immigrant Justice Center in Chicago. In the article, Trester and Hickman further share their perspectives on the case, the procedural aspects involved, and how they were able to work around the June 2018 opinion by former Attorney General Jeff Sessions that stood as a major barrier to granting the young mother's request to stay in the United States. Throughout the proceedings, the pair of attorneys worked to navigate through the complex nuances of immigration law, with the support of other Cozen O'Connor attorneys, paralegals and staff in the Chicago office, as well as from members of the Pentecostal Church of Harvey, Illinois.

**[IA] Mollie Tibbetts' alleged killer wants trial moved to different county due to 'minority population'**

[FOX News](#) [3/4/2019 2:22 PM, Katherine Lam, 9216K] reports an illegal immigrant charged in the murder of Mollie Tibbetts, a University of Iowa student found dead in August, requested his trial to be moved to a more diverse county in the state so his jury pool has more minority representation. Cristhian Bahena Rivera's attorneys filed the motion Friday, arguing that existing tensions and opinions in Poweshiek County – which is the area where the crime occurred, Tibbetts grew up and Rivera lived and worked at a dairy farm – will make it hard to have a "fair and impartial trial," the Des Moines Register reported. The attorneys asked the court to select a county that has more of a minority representation for the jury pool. Rivera, 24, pleaded not guilty to murder charges in September, about a month after he was arrested and Tibbetts' body was located in a cornfield about 12 miles southeast of Brooklyn.

[Des Moines Register](#) [3/4/2019 4:51 PM, Luke Nozicka, 125K, IA] reports the undocumented immigrant accused of killing University of Iowa student Mollie Tibbetts says he was not advised of his rights before an interview with law enforcement, arguing his constitutional right against self-incrimination was violated. Lawyers for Bahena Rivera say that before the 12-hour interview, he was not told about his right to an attorney or his right to decline to cooperate. His attorneys argue in a new 29-page motion that any confession he made was therefore involuntary. One of Bahena Rivera's attorneys, Chad Frese, told the Des Moines Register his client was "Mirandized" – shorthand in the legal profession for formally explaining a suspect's rights – nine to 10 hours into the interview at the Poweshiek County Sheriff's Office in Montezuma. A special agent with the Iowa Division of Criminal Investigation referred questions about the motion to the Iowa Attorney General's Office.

Reported similarly: [The Daily Caller](#) [3/4/2019 5:06 PM, Evie Fordham, 867K, DC]

### **[CA] Feds Want 9th Circ. To Toss Immigrant Bond Hearings Order**

[Law360](#) [3/4/2019 6:21 PM, Kevin Penton] reports the federal government on Friday urged the Ninth Circuit to toss a California federal court's order that calls for a class of detained immigrants within the circuit to be provided with bond hearings after they have been held for six months, arguing the court misapplied legal precedent. The Northern District of California misapplied the so-called canon of constitutional avoidance by applying it to Section 1231(a)(6) of the Immigration and Nationality Act, because the U.S. Supreme Court had already invoked the concept when considering the statute in a 2001 case known as *Zadvydas*, according to the federal government's opening brief. The government wants the appellate court to nix the preliminary injunction that called for the hearings. The federal government contends that because the Supreme Court already applied the canon to Section 1231 — which covers procedures for the detention of immigrants whose deportation is considered "imminent and certain" — the California federal court may not do so again under a 2005 high court decision known as *Clark*, according to Friday's brief. Even if the canon could be applied to Section 1231(a)(6) a second time, the lower court erred by relying on a 2011 Ninth Circuit case known as *Diouf* that is "clearly irreconcilable" with the Supreme Court's February 2018 decision in *Jennings v. Rodriguez*, the federal government argued. In *Jennings*, the Supreme Court held that the Ninth Circuit "all but ignored the statutory text," relying on precedent from *Zadvydas*, which involved the detention of immigrants subject to a deportation order, to justify a time limit on detention. In the instant case, the lower court in June granted the petitioners' preliminary injunction bid and created a class of detainees who must have a bond hearing if they have been detained for at least six months, and it is the federal government's burden to establish by "clear and convincing" evidence that they should continue to be detained, according to court documents.

## **Enforcement News**

### **Migrant miscarriages in ICE detention centers have almost doubled during President Trump's first two years in office**

[Insider](#) [3/5/2019 3:24 AM, Nicole Einbinder, 1082K] reports that the number of undocumented women who have experienced miscarriages while being held in government detention has almost doubled in the first two years of President Donald Trump's administration, according to a government review of medical records first reported on by The Daily Beast. As of Aug. 31, 2018, there were 18 migrant women who may have experienced a miscarriage just prior, or while, in ICE custody in 2018, according to a



manual review of medical records conducted by US Immigration and Customs Enforcement and provided to INSIDER. That number is almost twice the number of women who possibly experienced a miscarriage while in custody in 2017. "Under this policy ICE detention facilities will continue to provide onsite prenatal care and education, as well as remote access to specialists for pregnant women who remain in custody," an ICE spokesperson told INSIDER. "This does not mean that all pregnant women will be detained; only those whose detention is necessary to effectuate removal, as well as those deemed a flight risk or danger to the community." Between Oct. 1, 2017 and Aug. 31, 2018, there were 1,655 pregnant women in ICE custody, according to the ICE spokesperson. "Generally, with limited insight into a pregnant detainee's medical history, ICE is unable to determine what caused a given miscarriage, and cannot confirm when a miscarriage began before or after an individual entered ICE custody," the spokesperson said.

**[NY] 'His Children Need Him Here:' Wife Begg ICE To Free Husband**

[Upper East Side Patch](#) [3/4/2019 4:45 PM, Brendan Krisel, NY] reports Baba Sillah's wife and five children have not seen him in more than a month, since Immigration and Customs Enforcement officers grabbed him at the agency's downtown Manhattan offices in January. "My father is caring, he is loving, he takes care of us and supports us," said Sillah's 10-year-old daughter Aminata, through tears. "Even through the tough times we always stick together." Supporters joined the Aminata's family at 32BJ SEIU's Lower Manhattan headquarters Monday to demand ICE release Sillah, who has worked as an Upper East Side porter for more than a decade, and not deport him to his native Gambia. "I need him here, said Mamou Drame Sillah, Baba's wife, who can no longer work during the day because he is not there to take care of their children; Ebribima, 16, Aminata, 10, Isha, 4 and 9 months-old Fatima. "His children need him here," she said. Aminata called her father the family's "superhero." Sillah, 48, was taken into ICE custody after checking in with immigration officials on Jan. 31 in an attempt to secure permanent residency status in the United States, family members and officials at Sillah's union, 32BJ SEIU, said Monday. Since being taken into detention, Sillah has been held in ICE's Hudson County Correctional Center in Kearny, New Jersey and has not been able to see his family. A spokesperson for Immigration and Customs Enforcement said in a statement that Sillah was first told to leave the United States in 1999 and was later taken into custody in 2011 but wasn't deported because the agency could not "obtain the proper travel documents for his removal." The spokesperson also said Sillah has local criminal convictions, but did not say which crimes.

**[NJ] Captured: Neighbor stabbed East Windsor man to death, cops say**

[New Jersey 101.5](#) [3/4/2019 1:58 PM, Erin Vogt, 51K, NJ] reports a township man has been accused of stabbing his neighbor to death, leaving the body outside the victim's home last week. Jeffrey Vasquez-Calderon, 37, of Bennington Drive, was charged with murder, possession of a weapon for an unlawful purpose and unlawful possession of a weapon, Mercer County Prosecutor Angelo Onofri said. The body of Luis Sanchez was found on the back patio area of his home on Wednesday morning, Feb. 27. According to Onofri, Sanchez and Vasquez-Calderon had been together at a nearby liquor store and lounge and returned home very early that same morning, sometime after midnight. Vasquez-Calderon stabbed Sanchez numerous times with a knife, Onofri said. Vasquez-Calderon is being held in Essex County on an ICE detainer, the prosecutor's office said. Onofri said his office would file a motion to have him detained, pending trial, and brought to Mercer County this week. As of Monday afternoon, no other information was available on the detainer or Vasquez-Calderon's immigration status, the prosecutor's office said.

**[WV] Judge sentences 2 illegal aliens on reentry charges**

[WBOY](#) [3/4/2019 6:10 PM, Staff, 17K, WV] reports that a judge has sentenced two illegal aliens on reentry charges in Harrison County. Feliciano Pelagio Mariluz-Tafur, a citizen of Peru, and Jose Cubas-Zavala, a citizen of Honduras, admitted to being in the country illegally, according to the United States Attorney's Office. Mariluz-Tafur pleaded guilty to one count of reentry of removed alien. A judge sentenced him to time served and one year of supervised release. Cubas-Zavala pleaded guilty to one count of reentry of removed alien and one count of fraud and misuse of document. A judge sentenced him to time served and three years of supervised release. Both men have been in federal custody since January 11. The Department of Homeland Security Immigration and Customs Enforcement investigated.

**[SC] The population boom nobody wants. York County needs more space for inmates, sheriff says**

[Rock Hill Herald](#) [3/4/2019 4:42 PM, John Marks, SC] reports York County is booking and housing a growing number of inmates, and there's reason to believe another wave is coming that could double demand on the booking end. "This has been discussed from previous councils for 18 years now," Sheriff Kevin Tolson told the county Justice & Public Safety committee when it met March 1. In 2010, then Sheriff Bruce Bryant reached an agreement to house inmates for U.S. Immigration and Customs Enforcement for a fee, generating revenue for the sheriff's office. The county could have up to 72 inmates at a time. In 2017 the county averaged almost 58 ICE inmates per day. A year ago a federal case against ICE, arguing the detained weren't given timely bond hearings, ended the agreement. Now ICE inmates are going directly to the closest immigration court. Even with the loss of those inmates, the total inmate population continues to climb. Moss Justice Center is further west than the ongoing population boom in Fort Mill, Tega Cay. Any figures on new booking or detention space, said York County Councilman Robert Winkler who represents the area, is going to show expansion at Moss as the less expensive option. The idea has been discussed for almost two decades. Yet county leaders are concerned with something too small on the eastern side, where population totals — overall and inmate — only are expected to increase.

**[FL] He stars in a new film about infiltrating an ICE detention center. Now ICE has locked him up again.**

[Washington Post](#) [3/4/2019 6:56 AM, Tim Elfrink and Isaac Stanley-Becker, 9763K, DC] reports on Tuesday, the Miami Film Festival will show a documentary that made international waves when it debuted in January. With a mix of on-camera interviews and reenacted scenes, "The Infiltrators" tells the tale of two brazen young activists who purposely got arrested and sent to a for-profit immigration detention center in Florida so they could expose alleged wrongdoing there. As an inmate at that Florida facility in 2012, the undocumented immigrant was the inside man on their audacious plan. He eventually won his own release, in part because of a headline-grabbing hunger strike. Rojas won't be able to catch the film's South Florida debut, because last week, he was once again arrested by Immigration and Customs Enforcement. Rojas's attorney doesn't think the timing of his latest detention is a coincidence. "I definitely think it's retaliation," Sandy Pineda told The Washington Post on Sunday. ICE officials didn't immediately return messages about Rojas on Sunday.

Reported similarly: [Tri-City Herald](#) [3/4/2019 6:31 PM, Adriana Gomez Licon, 17K, WA]

**[FL] After 7 months in immigration detention, 15-year-old reunites with her father**

[CNN](#) [3/4/2019 7:46 PM, Rosa Flores and Samira Said] reports that after seven months in the custody of the US government and a decade away from her dad, 15-year-old Idis Nicol Tabora and her father were reunited Monday at baggage claim at Miami International Airport. Idis Nicol was among the record number of migrant children to be detained in shelters across America last year. About 11,900 children were detained in June, and that number rose to 12,800 in September and to 14,000 in November. By December, the number of children in Health and Human Services custody reached nearly 15,000, according to an HHS official. The number of detained children began to drop in January, when an HHS official told CNN that about 11,400 minors were in custody. Idis Nicol left her native Honduras last summer to meet up with her father, who has been in Florida for about 10 years. Her father said she was detained at the US-Mexico border by immigration officials in July. Because she's a minor, she was placed in HHS custody. That's when her 36-year-old father began the process to get her out of detention and obtain custody. He signed over legal guardianship of his daughter to a US citizen in case anything were to happen to him. Since November 2018, Tabora said, he has been told the reunion would happen any day now. And that any day now has taken four more months. CNN reached out to the Department of Health and Human Services about this case, and while our request for comment has been acknowledged, comment has not been provided.

**[TX] Force-fed detainees deported to India**

[Washington Post](#) [3/4/2019 7:30 PM, Associated Press] reports that immigration officials say two Indian men who were force-fed through nasal tubes while on a hunger strike inside a Texas detention facility have been deported. U.S. Immigration and Customs Enforcement says the two detainees held at the El Paso Processing Center were deported to India on Friday. ICE spokeswoman Leticia Zamarripa said Monday there are nine detainees from India, Nigeria, Turkey, Bissau-Guinea, Pakistan and Croatia who have been refusing to eat in detention centers in the El Paso, Atlanta, San Diego, Miami and Seattle areas of responsibility. The United Nations human rights office said the U.S. could be violating the U.N. Convention Against Torture because it views force-feeding as potential "ill treatment."

**[TX] 12 detained babies have been released from ICE custody in Dilley, Texas**

[CBS News](#) [3/4/2019 8:00 PM, Kate Smith, 49830K] reports that ICE officers have released 12 of the infants that were being held at a rural Texas detention center, where immigrant advocates claim they dealt with dirty water, limited baby food and a lack of medical care. In an email Monday, ICE said there were 16 infants younger than a year old held at the South Texas Family Residential Center in Dilley, Texas as of Friday, March 1. ICE also said there was another infant under the age of one detained at the Texas Karnes detention center. All the mothers and their infants were released to friends and family members who were "ready to buy them a bus or plane ticket and receive them in their home," said Katy Murdza, the advocacy coordinator at the American Immigration Council's Dilley Pro Bono Project. Three advocacy groups -- the American Immigration Council, the American Immigration Lawyers Association and the Catholic Immigration Network, Inc. -- also sent a letter to the House Judiciary Committee, which plans to "hold long overdue hearings on conditions behind the doors of immigration detention centers," according to Congresswoman Zoe Lofgren, who represents California's 19th district. "Conditions in immigration detention are not appropriate places for children, period," Lofgren said in an email to CBS News on Monday. In an email to CBS News, an ICE official said that the increase in detained infants was a result of increased border crossings. "As the number of family units crossing the border into the U.S.

has increased, so too has the frequency of those with younger children, including infants," the official wrote. ICE officials told CBS News via email that immigrants are offered "comprehensive medical care," including "registered nurses and licensed practical nurses, licensed mental health providers, mid-level providers that include a physician's assistant and nurse practitioner, a physician, dental care, and access to 24-hour emergency care."

**[TX] El Paso prepares for new surge of migrants**

[KVIA](#) [3/4/2019 8:23 AM, Michael Gordon, TX] reports El Paso is bracing for a new surge of migrants on their way to the U.S. border. Plans for a \$190 million immigrant processing center is still in the development stages, leaving immigration shelters as well as local leaders to try and take control of the situation. Officials at the Annunciation House have said that their resources are already running low as they're currently helping over 2,000 immigrants a week. The shelter was recently forced to turn away a new group of 150 migrants that had been brought to their door by ICE. ICE then brought the group to the Caminos De Vida Church in the Lower Valley, having given them just 3 hours to prepare for the new guests. "The El Paso community has stepped up," said County Commissioner Vince Perez. "Ruben Garcia, the non-profit organizations and the churches have been very generous in receiving these migrants. However, I think there is going to come a point where the churches are going to be strained, Annunciation House is going to be strained and then there is going to be pressure on local government to pick up that slack."

**[TX] 178 Immigrant Detainees In Texas Suffering From Mumps**

[The Daily Caller](#) [3/4/2019 8:39 AM, Michele Blood, 867K, DC] reports at least 178 immigrant detainees in Texas facilities were suffering from confirmed cases of mumps as of Feb. 21, the Texas Tribune reported Friday, citing the Texas Department of State Health Services. Five additional cases of mumps have been identified among detention facility employees, the outlet also reported. Lara Anton, a spokeswoman for the Texas Department of State Health Services, told Amarillo's ABC 7 in an email that patients range in age from 13 to 66, and that "there has been no reported transmission to the community." Anton added that officials do not know the vaccination status of adult detainees nor children traveling with those adults. Unaccompanied minors, on the other hand, are vaccinated when they are detained. Seven cases of mumps were identified in a Houston Immigration and Customs Enforcement facility in early February, according to the Associated Press. At the time, officials said there was no evidence the illness had been transmitted outside the facility.

Reported similarly: [People](#) [3/4/2019 4:05 PM, Adam Carlson, 2648K]

**[CO] Immigration officials open GEO detention center to media only as hundreds of inmates are subjected to disease quarantine**

[Colorado Sentinel](#) [3/4/2019 4:44 PM, Kara Mason, 2K, CO] reports inside the Aurora immigration detention center on Monday there were 1,364 detainees — 357 quarantined for possibly being in contact with a case of the mumps or chicken pox — eight Colorado journalists and no federal or local lawmakers. Only credentialed media, without any electronic recording devices, were allowed in for a tour of the site, led by Immigration and Customs Enforcement officials along with site operators from the GEO Group Inc., which privately owns and runs the detention facility. Notably absent from the group was Aurora Congressman Jason Crow and Aurora City Councilwoman Allison Hiltz, who both showed up at the facility Feb. 20 unannounced to facility supervisors and ICE staff and requested an

"inspection" of the facility. The duo's request was denied, as staff said there is a specific process federal and local lawmakers must follow to enter the facility. Crow was reportedly turned down again two more times -- once on Friday and another time for the Monday facility tour with media. John Fabbriatore, the acting ICE field office director in Denver, told reporters the agency thought it best to keep politics and media separate, and that Crow possibly would have been granted a tour on Feb. 20 if it weren't for the media he had alerted he would be there. ICE spokeswoman Alethea Smock said the media tour was not a result of Crow's requests, but had been in the works since the end of January.

[CBS4](#) [3/4/2019 6:51 PM, Rick Sallinger, AZ] reports immigration officials have ordered all detainees at the Aurora Detention Facility be vaccinated. This comes after an outbreak of the mumps and chickenpox was reported. Reporters were invited to take a tour of the facility which houses up to 1500 detainees. Officials say they were exposed to three cases of mumps and six cases of chicken pox. Frank Fabbriatore, interim director of the Denver office of Immigration and Customs Enforcement (ICE), says the illnesses are tied to the influx of detainees sent from the Mexican border. CBS4 Investigator Rick Sallinger spoke with family members worried about the diseases entering the facility run by GEO. Through an interpreter a brother of a detainee said, "He is concerned they are coming from the border. I'm not sure how they are treating them here if they are putting them in isolation." The detainees in quarantine are able to do video visits and some in person. "They are leaving their pods then meeting up with their consuls or their legal representation with a mask and a gown on," Fabbriatore said. He adds the number of medical staff has been increased and all personnel are vaccinated as the facility has greatly expanded. In January, the old ICE detention facility was remodeled and reopened, adding 300 new beds. "It allows us to take cases from the border and house them here for a short period of time, get them on through our docket, in front of immigration judge and credible fear interview," Fabbriatore stated.

Additional reporting:

[Colorado Public Radio](#) [3/4/2019 8:54 PM, Allison Sherry, 31K, CO]

[Denver Post](#) [3/5/2019 1:52 AM, Saja Hindi, 380K, CO]

### **[NM] 67 illegal immigrants found in deplorable conditions inside tiny New Mexico 'shed': ICE**

[FOX News](#) [3/4/2019 8:46 AM, Lucia I. Suarez Sang, 9216K] reports dozens of illegal immigrants from Central America, including six unaccompanied teenagers, were found living in a stash house used for human trafficking in southeastern New Mexico, officials said. U.S. Immigration and Customs Enforcement agents said last week they discovered 67 illegal immigrants from Guatemala and Ecuador cramped inside an unfurnished and filthy 20-foot-by-20-foot wooden shed in Dexter, N.M. The shed was an addition to a travel trailer and had no working toilet. A sign written in Spanish and placed on the bathroom door read, "Don't use the bathroom." ICE agents said the immigrants were given minimal food and water. "Human smuggling is a multi-billion-dollar enterprise, and the individuals being smuggled are viewed as cargo by the criminal networks. ICE Homeland Security Investigations continues to investigate this organization and will hold them accountable for their illicit activities," he said in a statement.

### **[AZ] Wave Of Migrant Releases From ICE Forces Advocates To Scramble**



[Fronteras Desk](#) [3/4/2019 10:30 AM, Matthew Casey, 1K, AZ] reports advocates said U.S. Immigration and Customs Enforcement released hundreds more migrants and asylum seekers this weekend than the agency had told volunteers to expect, and the system to help them was overwhelmed by the volume. Since early October, ICE has been releasing families to Valley churches and activists who give the migrants temporary shelter, food and healthcare. Barbara Lewkowitz, who works with volunteers to prepare meals for migrants when they get out of ICE custody, was expecting to feed 200 people over the weekend, but ended up needing enough food for 500. "Over the weekend, we dropped off approx. 200 family units at the bus stop because the organizations we've been working with could not accommodate," ICE spokesperson Yasmeen Pitts O'Keefe said Monday morning. In the past, the agency has said families are released due to lack of space and the need to stay in line with a court settlement limiting how long children can be detained. [Editorial note: consult source link for audio]

[KJZZ-FM](#) [3/4/2019 4:15 PM, Mark Brodie, 7K, AZ] reports for months, Immigration and Customs Enforcement has been dropping off busloads of Central American migrants who've been granted temporary asylum in the U.S. at churches. But this weekend, there were more asylum seekers than volunteers had been told to expect. Jen is the executive director of a group called All Hands AZ, which is a collective of volunteers and organizers who help the asylum seekers with things like clothing, medical care, food and transportation. She didn't want to use her last name because the group and migrants have been targeted by protestors. Sitting inside an office just off the church's sanctuary, The Show asked her if she knows why volunteers are suddenly getting more people than they expected. Also in that office was the church's pastor, Brian. He told Show his church started taking in asylum seekers on New Year's Day, and while they're looking to get into a regular routine, so far they've only been responding on an emergency basis.

**[CA] Man wanted for accessory to murder of an hours-old baby was in the U.S. illegally**

[ABC 23](#) [3/4/2019 9:12 PM, Noelle Lilley, CA] reports the U.S. Immigration and Customs Enforcement says that Bakhshinderpal Singh Mann—a man recently charged with felony accessory to the murder of an hours-old baby—was in the United States illegally. Officers with ICE's Enforcement and Removal Operations are currently looking for Mann after he removed his GPS-monitoring device on Feb 27. According to a spokesman with ICE, Mann is from India and initially encountered by U.S. Border Patrol in July 2016 when he illegally entered the country. In October 2016, ICE released Mann from custody with a GPS-monitoring device pending removal proceedings before the immigration court. He is currently an immigration fugitive and wanted on criminal charges.

**{End of Report}**



# EOIR MORNING BRIEFING

U.S. Department of Justice  
Executive Office for Immigration Review  
By TechMIS

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**Wednesday, Mar. 6, 2019**

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## Executive Office for Immigration Review

### [NY] New York Lawsuit Challenges Replacement of Immigration Court Hearings with Video Technology

[Lawfare](#) [3/5/2019 9:00 AM, Jessica Zhang and Andrew Patterson, 98K] reports in the latest salvo in a long debate over the use of video conferencing (VTC) technology in immigration courts, several legal aid organizations filed a class-action lawsuit on Feb. 12 in New York challenging the U.S. Immigration and Customs Enforcement practice of denying in-person hearings to immigrants. The government and other proponents of remote adjudication by video argue that it improves efficiency, while skeptics worry about how it affects judges' ability to evaluate credibility and immigrants' ability to present their cases. There have been several legal challenges to the practice since it was introduced in 1996, though this most recent one is the largest and most sophisticated. Immigration court

proceedings have traditionally taken place in courtrooms. As dockets have grown and costs have ballooned, the government has increasingly explored methods of reducing the expenses associated with such proceedings. The Immigration and Nationality Act was amended in 1996 to give immigration judges discretion to conduct removal proceedings via VTC. The agency's regulations treat video hearings as interchangeable with in-person ones, and the Department of Justice encourages immigration judges to make use of this technology, emphasizing that it is an "effective and efficient" way to conduct hearings.

However, some experts have expressed concerns about the efficacy of proceedings conducted through VTC. A study from 2015 published in the *Northwestern Law Review*, which analyzed the impact of VTC on outcomes, found that respondents appearing by video were less likely to retain counsel and pursue relief from deportation-and thus were more likely to be deported. The Government Accountability Office's 2017 report on the issue cited court officials, experts and stakeholders who were concerned that VTC creates challenges in holding hearings, especially merits hearings, because of technical difficulties, confusion by noncitizens appearing in court without an attorney, and complication in translation services. A 2017 report commissioned by the Executive Office for Immigration Review, the office within the Justice Department that operates the immigration courts, found that judges have difficulty interpreting body language and nonverbal communication over video feed, and that faulty VTC could be so disruptive to cases that "due process issues may arise."

## **Policy and Legislative News**

### **Border at 'Breaking Point' as More than 76,000 Migrants Cross in a Month**

[New York Times](#) [3/5/2019 2:58 PM, Caitlin Dickerson, 20737K] reports that for the fourth time in five months, the number of migrant families crossing the southwest border has broken records, border enforcement authorities said Tuesday, warning that government facilities are full and agents are overwhelmed. More than 76,000 migrants crossed the border without authorization in February, more than double the levels from the same period last year and approaching the largest numbers seen in any February in the last 12 years. "The system is well beyond capacity, and remains at the breaking point," Kevin K. McAleenan, commissioner of Customs and Border Protection, told reporters in announcing the new data. The larger numbers and the surge into more remote areas of the border have drawn new attention to longstanding problems with medical services provided by Customs and Border Protection. Immigration authorities have enough space to detain about 3,000 members of migrant families; more than 28,000 crossed the border in January. Recently the agency has also begun releasing single adults into the country because of backups that now extend to Immigration and Customs Enforcement detention facilities across the country, where adult detainees are traditionally held until their immigration court cases are resolved. More than 50,000 adults are currently detained in ICE custody, the highest number ever, which has in turn begun to tax government lawyers, who are tasked with prosecuting their deportation cases, according to agency officials.

Additional reporting:

[Washington Post](#) [3/5/2019 2:50 PM, Nick Miroff]

[Wall Street Journal](#) [3/5/2019 1:30 PM, Alicia A. Caldwell]

[Politico](#) [3/5/2019 2:48 PM, Ian Kullgren, 2577K]

[FOX News](#) [3/5/2019 5:28 PM, Nicole Darrah, 9216K]

[BuzzFeed](#) [3/5/2019 4:08 PM, Adolfo Flores, 8149K]

[NPR](#) [3/5/2019 2:45 PM, Joel Rose and John Burnett]  
[Breitbart](#) [3/5/2019 8:17 AM, Staff, 2015K]  
[Breitbart](#) [3/5/2019 7:09 PM, John Binder, 2015K]  
[Newsweek](#) [3/5/2019 3:46 PM, Benjamin Fearnow, 2656K, NY]  
[NBC News](#) [3/5/2019 9:37 AM, Julia Ainsley, 4061K]  
[New York Post](#) [3/5/2019 3:16 PM, Bob Fredericks, 3265K, NY]  
[Washington Examiner](#) [3/5/2019 1:42 PM, Anna Giaritelli, DC]  
[Washington Times](#) [3/5/2019 9:23 AM, Stephen Dinan, DC]  
[Washington Free Beacon](#) [3/5/2019 4:15 PM, Charles Fain Lehman, 105K, DC]  
[The Daily Caller](#) [3/5/2019 12:19 PM, Jason Hopkins, 867K, DC]

### **More Migrants Are Crossing the Border This Year. What's Changed?**

[New York Times](#) [3/5/2019 11:32 PM, Miriam Jordan, 20737K] reports President Trump has tried to halt the arrival of undocumented migrants by beefing up border security, limiting who qualifies for asylum and, for a while, separating migrant children from their parents at the border. However, the figures released on Tuesday suggest that those measures are failing to deter tens of thousands of migrants from journeying over land to the United States. After shriveling to the smallest number in five decades, arrests of migrants at the southern border – the best indicator of how many undocumented people are entering the United States – are soaring again. Border authorities detained nearly twice as many migrants - 268,044 - in the first five months of the fiscal year that started in October than were arrested in the same period the previous year. In the first five months of the fiscal year that began in October, the Border Patrol apprehended 136,150 people traveling in families with children, compared with 107,212 during all of fiscal 2018. Migrants generally lack understanding of United States immigration law. The majority know to request asylum at the border, either at an official port of entry or when they surrender to border agents shortly after sneaking into the country from Mexico. They know that they are unlikely to remain detained if they travel with a child and that they have a better shot at fending off deportation when they come with a child. By law, the government cannot keep migrant families in holding facilities at the border for more than 72 hours. It must either transfer them to an immigration detention facility suitable for children or release them. Customs and Border Protection officials believe that the various legal rulings preventing families from being detained have helped solidify the message to smugglers, who roam villages offering to guide people to the United States, that adults who come with a child are protected from deportation. Whether they sneak into the country in remote areas or enter the country through a port of entry, most migrants are trying to petition for asylum. The Trump administration contends that people are flooding the asylum system with invalid claims. In recent years, immigration judges have granted less than 20 percent of asylum requests, a proportion that is even lower for Central Americans. Many asylum seekers from Central America claim they have been victims of gangs, which is harder to prove than political and other types of persecution. Poverty is not among the grounds for receiving asylum.

### **Our Country is Facing a Growing Emergency at the Border**

[The White House](#) [3/5/2019 5:29 PM, President Donald J. Trump, 437K, DC] reports new numbers released by the Department of Homeland Security reflect an ever-worsening crisis on our southern border. New data from DHS shows that more than 76,000 inadmissible aliens arrived at the southern border in February. An average of more than 2,000 aliens cross illegally every day at the southern border. Border Patrol has apprehended over 268,000 individuals crossing since the beginning of the fiscal year, a 97 percent increase



over the same period in the previous year... Our Nation is experiencing an unprecedented spike in the number of alien families arriving at the southern border, with more than 40,000 arriving in February alone. In this FY to date, there has been a more than 300 percent increase in the number of family units apprehended compared to the same time period last FY. Apprehensions of family unit aliens and Unaccompanied Alien Children this FY have surged 338 percent and 54 percent, respectively. There has been a wave of large migrant groups flooding to the southern border. The President has taken action to address this crisis and build barriers desperately needed at our border, including declaring a national emergency. Nearly \$8.1 billion has been identified to build border barriers, including funds appropriated by Congress, funds available under other statutory authorities, and military construction funds available in a national emergency.

### **Trump administration seeks GOP support on border wall as senators confront hard choices**

[Washington Post](#) [3/5/2019 7:44 PM, Seung Min Kim and Erica Werner, 9763K] reports that the Trump administration privately appealed to Republican senators on Tuesday to stand with President Trump on his controversial wall, painting a picture of a U.S.-Mexico border crisis to persuade undecided GOP lawmakers to back his emergency declaration in a highly anticipated vote next week. Some of the GOP senators who have said they will support the resolution -- including Sen. Susan Collins and Thom Tillis -- have made their case for the separation of powers and the need to protect congressional prerogative, particularly deciding how taxpayer money is spent. This vote comes on the highly charged issue of immigration and Trump's signature campaign promise of a border wall, although he repeatedly said during his 2016 presidential campaign that Mexico would pay for it. Trump has recently warned that Republicans who defy him on the national emergency will "put themselves at great jeopardy." Arguing Trump's case on Tuesday was Homeland Security Secretary Kirstjen Nielsen, who met behind closed doors with Republican senators. Nielsen described the influx of unaccompanied minors and migrant families at the border and tied it to the administration's case for constructing additional barriers, according to senators who attended the lunch and others briefed on it. She stressed that the emergency declaration was necessary and while the administration expected legal challenges, that was still not a reason to abandon the declaration, according to an official familiar with her presentation who spoke on the condition of anonymity to discuss private deliberations.

### **Former Acting ICE Director Responds To Sen. Rand Paul's Decision To Vote Against National Emergency (Daily Caller)**

[Daily Caller](#) [3/5/2019 5:42 PM, Amber Athey, 867K] Video: [HERE](#)

Former Acting ICE Director Tom Homan chastised Republican Kentucky Sen. Rand Paul on Tuesday for opposing President Donald Trump's declaration of a national emergency on the southern U.S. border.

Paul announced Sunday that he would oppose the order, joining a handful of other Republican senators in ultimately voting for a resolution that terminates the president's declaration. Trump has already promised to veto any such resolution sent to his desk.

Homan said during a Fox News interview that Congress is to blame for not acting on the border issue and addressed the argument that declaring a national emergency sets a bad precedent.

"I respect Rand Paul but here's where I think the issue is — is there a national security or not? But some of the [Republican] congressmen I hear, 'Well we don't want to do this because the Democrats' president could do the same to us,'" Homan explained. "They've already done it!"

"President Barack Obama did it with DACA," he continued. "He ... went around Congress to give amnesty to 800,000 people and where was the anger there from the Democratic Party? They've already done it. I think playing nice is over."

### **Homeland security secretary to face Democrat-controlled House committee for the first time**

[CNN](#) [3/6/2019 6:04 AM, Priscilla Alvarez] reports that Homeland Security Secretary Kirstjen Nielsen on Wednesday will become the highest Trump administration official yet this year to testify on the administration's immigration policies. Nielsen, who assumed the post in December 2017, is appearing before the House Homeland Security Committee for a hearing on border security, which encompasses President Donald Trump's national emergency declaration, the border wall and the administration's "zero tolerance" immigration policy, which resulted in thousands of migrant children being separated from their undocumented parents. Nielsen has defended the President's declaration and will likely draw on recent data to back up the need for additional resources. The administration thus far has relied on deterrence to stem the flow of migrants, through policies like "zero tolerance" and the so-called Migrant Protection Protocols, informally known as "Remain in Mexico." Nielsen could be called to answer questions on both of those policies.

### **Renewed Trump 'sanctuary cities' crackdown ruled illegal**

[Washington Post](#) [3/5/2019 3:35 PM, Fred Barbash, 9763K] reports another judge has ruled against a renewed attempt by the Trump administration to make states and cities help enforce federal immigration law, an effort in which it has persisted despite an unbroken string of court decisions declaring the effort illegal. The decision late Monday by U.S. District Judge William Orrick III in San Francisco was at least the 10th to tell the Justice Department that without an act of Congress, it can't withhold federal law enforcement assistance grants from "sanctuary cities" — jurisdictions that decline to help the government track down and detain undocumented immigrants. Among the decisions are three from U.S. courts of appeal for the 3rd, 9th and 7th circuits. In pressing ahead, Orrick ruled, the administration, among other things, usurped Congress's spending power.

Reported similarly: [Law360](#) [3/5/2019 7:21 PM, Suzanne Monyak]

### **Trump immigration policy under scrutiny at four simultaneous congressional hearings**

[USA Today](#) [3/5/2019 5:26 PM, Alan Gomez] reports congressional Democrats waited two years for an opportunity to scrutinize the Trump administration's immigration policies and on Wednesday they're going all in. Congress will host four simultaneous committee hearings — three in the Democrat-controlled House — that will analyze a wide range of actions taken by President Donald Trump to crack down on legal and illegal immigration. The hearings will feature the first testimony before the new Congress from Department of Homeland Security Secretary Kirstjen Nielsen, Customs and Border Protection Commissioner Kevin McAleenan and Homeland Security's inspector general. Democratic leaders have been stepping up their oversight of the Trump administration in recent weeks, issuing their first

subpoena last week and requesting documents on Monday from 81 "agencies, entities and individuals" with ties to Trump. Wednesday's hearings will explore the origins and implementation of the administration's "zero tolerance" policy that led to at least 2,800 separations of migrant families, conditions in Border Patrol facilities that led to three deaths in three months, the decisions to terminate temporary deportation protections for more than 1 million people, and other controversial moves. Nielsen, who has been the public face of the Trump administration's immigration enforcement efforts, is the sole witness scheduled to testify before a House Homeland Security Committee hearing. Her last appearance before Congress in December offered a hint of what may come on Wednesday, when she repeatedly clashed with Democrats on the committee. At one point, she responded to a Democratic member who accused her of lying about the department's family separation policy by saying: "Calling me a liar are fighting words." [Editorial note: consult source link for video]

### **"Remain in Mexico": Trump's quietly expanding crackdown on asylum seekers, explained**

[VOX](#) [3/5/2019 2:10 PM, Dara Lind, 2855K] reports the Trump administration's latest effort to repel asylum seekers has been quietly successful. Since late January, the Trump administration has turned back some Central American asylum seekers to wait in Mexico while their cases are processed. By returning them to wait in Mexico, the administration is allowing them to pursue court cases in the US without actually admitting them. Over the past month, the new policy ramped up slowly at a single border crossing. Now the unofficial pilot program is over, and the wider adoption of returns to Mexico has begun. On Tuesday, according to multiple sources who were not authorized to speak to press, the US will return some asylum seekers to Mexico who had entered the US illegally, were apprehended by Border Patrol agents, and sought asylum. Since many more asylum seekers enter between ports of entry than are allowed to enter at official crossings, this could vastly expand the number of migrants forced to wait in Mexico under the new policy. It's a fundamental shift in the policy of asylum – which is generally, in US law, a legal protection you claim while on American soil. In court, meanwhile – despite the many questions the new policy raises about both US and international law – the advocates who have challenged it are still fighting to get a federal judge to put the policy on hold. Under the new policy when migrants present themselves to Customs and Border Protection agents to seek asylum, they're given a date in a US immigration court 45 days in the future to start their asylum case, and then turned over to Mexican authorities to stay in Mexico until the 45 days are up. The US can't deport an asylum seeker without at least a screening interview to determine if they have a "credible fear" of persecution. Because about three-quarters pass their screening interviews, asylum seekers have traditionally been able to stay in the US while they wait for their cases to be resolved in court. Instead of trying to deport immigrants without hearings, it promises them a hearing down the road – and "returns" them to Mexico to wait for those hearings in the meantime. After a migrant is given notice to appear in immigration court, and a handout with free or low-cost legal providers licensed to practice in that court, they're told to show up in San Ysidro in 45 days. Upon return, migrants are given visas by the Mexican government, generally humanitarian visas that allow them to live and work in Mexico for up to a year. The involvement of a third country – Mexico – doesn't automatically let the US off the hook. So the US is prohibited from returning migrants to Mexico if Mexico would return them to countries where they'd be persecuted.

### **24 deported parents that returned to border hoping to be reunited with their children have been detained**

[ABC News](#) [3/5/2019 11:34 PM, Joshua Hoyos, Lauren Pearle, and Kristoffer Rios, 2413K] reports that twenty-four migrant parents who returned to the United States on Saturday after they said they were separated and deported without their children are now being detained by the U.S. government, according to Erika Pinheiro, a lawyer for the families and the litigation and policy director of Al Otro Lado. Of the 24 detained, 19 are being held by U.S. Customs and Border Protection and five by U.S. Immigration and Customs Enforcement, said Pinheiro. The lawyers for the group of parents, who together made the journey back to the U.S. to reunite with their children and seek asylum, said the government agencies placed them in different detention centers, even splitting some families apart who had arrived at the border together. The parents presented themselves at the Calexico Port of Entry on Saturday to seek asylum and reunification with their children. As of Tuesday evening, some of the parents that were detained have since been released. The lawyers for the parents say that U.S. sponsors have been lined up to host all of these families. At this point, none of those sponsors have been contacted by the government, according to Pinheiro. CBP and ICE did not immediately respond to ABC News' request for comment. [Editorial note: consult source link for video]

### **HHS asks Pentagon for space to hold 5,000 illegal immigrant children**

[Washington Times](#) [3/6/2019 12:00 AM, Stephen Dinan, 527K, DC] reports that the Health and Human Services Department has asked the Pentagon for space to house up to 5,000 illegal immigrant children this year, officials tell The Washington Times, as the administration continues to grapple with the border crisis. HHS is also planning to transfer or reprogram nearly \$400 million to pay for the surge of juveniles, known as Unaccompanied Alien Children or UAC in government-speak. A major surge in recent months has pushed HHS's current shelters to capacity, and forced it to ask for assistance. HHS called it a "temporary influx" and said the exact sites are still to be determined. "Based on the anticipated growth pattern in referrals of UAC from DHS to HHS, HHS is preparing for the need for high bed capacity to continue," said Evelyn Stauffer, a senior advisor at HHS's Administration for Children and Families. "As we have over the past six years, HHS is once again requesting the assistance of the Department of Defense (DoD) to help respond to the migration influx of unaccompanied alien children (UAC) along our southern border by identifying and making available space for up to 5,000 UAC temporary influx beds in one or more DoD installations in the Continental United States," she said in a statement to The Times.

### **More than half of migrant children's sexual abuse allegations against staff came from shelters run by 3 nonprofits**

[Insider](#) [3/5/2019 4:57 PM, Michelle Mark, 1082K] reports three main nonprofits are responsible for the migrant children's shelters in which more than half of the sexual abuse allegations against staff members were made over the last four years, according to Department of Health and Human Services data first reported by Axios. The three contractors – Southwest Key, Baptist Child & Family Services, and International Educational Services – collectively run dozens of the shelters that house migrant children who arrive in the United States alone after crossing the border illegally. Migrant children can spend days to months in the shelters before they are released and placed with sponsors, who are usually the children's parents or other relatives. The three nonprofits that run many of those shelters have raked in \$2.5 billion in federal government grants since 2014, according to

USAspending. Of the 1,303 complaints that were also reported to the Justice Department, the vast majority of the allegations accused fellow migrant children of abuse. The documents also detailed 178 complaints made against adult staff members at the facilities. According to the documents, Southwest Key was the nonprofit listed for the highest proportion of complaints, with 65 allegations occurring at more than 20 facilities run by the contractor.

**[MD] Her car broke down, then ICE detained her. Maryland advocates hope new bill will limit similar scenarios**

[Carroll County Times](#) [3/5/2019 12:40 PM, Thalia Juarez, 7K, MD] reports that on a cold January morning, Baltimore resident Nora was on her morning commute on Interstate 95 when smoke began billowing from the engine. In minutes, the car was engulfed in flames, putting Nora into a panic. Nora pleaded with a tow truck driver not to call the police for fear of alerting U.S. Immigration and Customs Enforcement, but Maryland Transportation Authority Police did show up that day. Now, she's in the Worcester County Detention Center awaiting deportation to El Salvador – and hoping she can return to her Southwest Baltimore home with her three kids. Nicholas Katz, a Baltimore immigration lawyer, says that without a formal partnership with ICE, or a criminal arrest warrant signed by a judge, Maryland law enforcement agencies don't have the authority to question, arrest or hold someone they suspect has violated federal immigration laws. Immediately following the 2016 presidential election, CASA, an advocacy organization for Latino and Immigrant people in Maryland, saw an uptick in cases where ICE was relying on local jurisdictions to carry out detentions, according to Elizabeth Alex the group's senior director of organizing and leadership. This trend prompted CASA to advocate for legislation that would ensure local and state resources aren't being used for federal immigration enforcement, said Alex. Senate Bill 0817 and House Bill 0913, introduced this session, would prohibit state and local law enforcement agencies from arresting people solely on civil arrest warrants and from inquiring about a person's immigration status. The proposed measures prevent correctional officers from notifying ICE of the address of a person released from jail and their time of release; however, they would not restrict ICE from accessing this information. Amada Armenta, an expert on immigration enforcement and criminal justice systems, says database-sharing among law enforcement agencies may expose people to federal immigration authorities. ICE data show the majority of criminal arrests in 2017 and 2018 were for DUIs, followed by "dangerous drugs." Absent an explicit agreement with ICE, such as the 287g programs established with the sheriff's offices in Harford and Frederick Counties, law enforcement agencies are not required to hold someone for ICE unless there is a warrant signed by a judge. These partnerships provide an invaluable tool to enhance public safety, according to an ICE spokesperson.

**[NY] ICE Officials In New York Arrested More Than 20 Illegal Immigrants After Sanctuary City Policies Released Them**

[Daily Wire](#) [3/5/2019 3:31 PM, Ashe Schow, 996K, CA] reports more than 20 illegal immigrants were arrested in February by New York City officials working for Immigration and Customs Enforcement, many for violent crimes, after they were released thanks to the city's sanctuary policies. Deportation officers for ICE's Enforcement and Removal Office working out of the New York Field Office made the arrest, according to a press release from the agency, which called "sanctuary city politics" unsafe. "The sanctuary city politics of this city continue to put the safety of New York residents at risk," Thomas R. Decker, field office director for ERO NY, said in the press release. "We need our elected officials to stop the



rhetoric. The fact remains that ICE makes this city safer by removing criminal aliens and public threats off the street so they are unable to reoffend, victimizing our city residents." The agency listed 12 examples of the crimes the illegal immigrants committed, many including violent acts. In each case, a detainer was issued for the illegal immigrant, yet it was not "honored," and the illegal immigrants were released by local law enforcement, according to the press release. In December 2018, ICE conducted a five-day operation in New Jersey that resulted in 105 foreign nationals in the U.S. illegally being taken into custody. Around 80% of those taken into custody had prior criminal convictions or pending charges, according to ICE. Examples of those individuals also included many arrested for violent crime, child abuse, and internationally wanted criminals, the Daily Wire previously reported. "These outstanding results, which were made possible by our officers and law enforcement partners, highlight the tremendous commitment that ICE ERO has to public safety throughout the state," John Tsoukaris, Field Office Director of ERO Newark, said in a press release at the time. "Our focus has been and will continue to be on arrests of illegal aliens who have been convicted of serious crimes or those who pose a threat to public safety."

### **[NY] How Two Immigration Lawyers Created a Rapid-Response Team to Combat ICE**

[The Intercept](#) [3/5/2019 10:32 AM, Alice Sperry, 500K] reports Sarah Gillman and Gregory Copeland were half way through a six-hour drive from Rochester to New York City last week when they got word that Baba Sillah, a father of five from the Bronx, was at John F. Kennedy International Airport, about to be deported to Gambia, a country he had left in the early 1990s. It had been a long two days for the lawyers. On their way upstate, they had stopped by the Bergen County Jail, in New Jersey, to meet a Bangladeshi father facing imminent deportation. They had then driven to Buffalo, New York, where they trained a 21-year-old law student to argue the case of an Albany man, Kinimo Ngoran, held at the Batavia Federal Detention Facility. It was their second drive upstate in just over three weeks. The first time, they had temporarily stopped Ngoran's deportation; this time, they were trying to get him out of detention and back to his American wife. The hearing on Monday had gone fairly well; Judge Charles Siragusa seemed to agree with the lawyers' argument that Ngoran had a right to pursue a legal process to stay in the U.S. because of his marriage. But the judge didn't free him right away, giving U.S. Immigration and Customs Enforcement a few more days to decide whether to do so themselves. If ICE didn't, Gillman and Copeland would have to drive upstate for one more hearing in a week's time. They were frustrated. They didn't mind the trip; at both hearings, the judge had been impressed that they had showed up in person, and they knew this sort of thing mattered. They just didn't want Ngoran, whom they believed the government should have never detained in the first place, to spend a day longer at Batavia.

Outside Judge Siragusa's courtroom, during a break in Ngoran's hearing, Albany Sheriff Craig Apple called Thomas Feeley, ICE's Buffalo field office director. He had already called him, twice, when Ngoran was first detained, and Feeley had briskly told him that ICE had every intention of deporting him as soon as possible. This time, after Ngoran's lawyers had won a judicial order to temporarily stop his deportation, Apple told the ICE director that he should release him from detention. The conversation quickly heated up: Feeley told the sheriff, "Your job is to uphold the Constitution," Apple told me shortly after the call. "Don't talk to me about the Constitution," the sheriff yelled back. Then Feeley hung up on him. A spokesperson for ICE declined to comment on the exchange other than to say that "Field Office Director Feeley is in regular contact with all of his law enforcement counterparts."

Apple was angry. "They could literally let him out right now," he said. "It just goes to show you what they are. It's an inhumane organization. To me, they have lost all credibility."

**[NC] Superintendent: 'No reason why' ICE officials would be on Wake County school property**

[WRAL](#) [3/5/2019 10:55 PM, Candace Sweat, NC] reports Wake County Public School System Superintendent Cathy Moore on Tuesday night addressed concerns from parents and teachers who say some students are fearful about immigration enforcement in the county. In response to community feedback, Moore said she has been in touch with principals to clarify guidelines for handling undocumented students. "School resource officers are not assigned any immigration enforcement duties. In addition, principals are being asked to notify the superintendent of any attempt by any immigration law enforcement officials to enter school property," Moore said. The school system's policy 5120 outlines how schools should conduct interactions with law enforcement on school property. Local man Fernando Martinez and supporters said it doesn't go far enough, and that the policy should specifically address immigration officials. "We want to include ICE on the list, and we also want to include language around requesting that ICE provide a warrant signed by the immigration judge," Martinez said. Moore wants families to rest assured that undocumented students are protected. ICE does have a sensitive locations policy that limits where they conduct enforcement actions, including at schools.

Reported similarly: [Raleigh News & Observer](#) [3/5/2019 7:12 PM, T. Keung Hui, 153K, NC]

**[FL] Gov. DeSantis pushes 'bold' reforms, assails sanctuary cities, healthcare costs**

[Miami Herald](#) [3/5/2019 6:00 PM, Emily L. Mahoney, 535K, FL] reports that, speaking to a packed Florida House chamber filled with lawmakers on the opening day of the legislative session, Gov. Ron DeSantis made his final pitch to legislators Tuesday for the bills he hopes will cross his desk. Days away from marking his second month in office, DeSantis is still sailing on a wave of bipartisan goodwill after a hard-fought, highly partisan campaign. The agenda DeSantis outlined contained highly conservative pieces that foreshadow coming fights between the parties and with the legislative leaders. His speech included a call to expand school vouchers to allow general revenue dollars to be used toward private school tuition, and the GOP crowd-pleaser of eliminating so-called sanctuary cities – both issues that could be explosive this legislative session. "Florida will not be a sanctuary state," DeSantis promised.

Reported similarly: [Orlando Sentinel](#) [3/5/2019 12:20 PM, Gray Rohrer, et al., 170K, FL]

**[FL] Protesters rally outside Homestead juvenile center**

[WSVN 7](#) [3/5/2019 5:58 PM, Staff, 59K, FL] reports activists gathered outside of the Miami-Dade Juvenile Residential Facility in Homestead to ask the U.S. to find an alternative way to house migrant children. Protesters could be seen holding signs and speaking out at the facility, along the 400 block of Bougainville Boulevard, around 10:30 a.m., Tuesday. The facility is home to more than 1,000 migrant children who came to the U.S. unaccompanied or were separated from their parents at the border. Protest organizer Tomas Kennedy said, "We're calling for greater transparency for these over-capacity shelters to be more resourced for smaller shelters, where there's more specialized care for these kids to be open and for the kids to be, as rapidly as possible, reunited with guardians and family and loved ones." [Editorial note: consult source link for video]

**[TX] National leaders: Border at breaking point, El Paso highlighted as site of humanitarian crisis**

[El Paso Times](#) [3/5/2019 8:11 PM, Aaron Martinez, 15K, TX] reports federal immigration law enforcement leaders said the United States is facing a massive "border security and humanitarian crisis" and is at a "breaking point" while highlighting El Paso as an example of the overwhelming number of migrants coming to the U.S. U.S. Customs and Border Protection Commissioner Kevin K. McAleenan and United States Border Patrol Chief of Operations Brian Hastings held a news conference Tuesday in Washington D.C. to announce the large increase of apprehensions being made by Border Patrol agents. U.S. Customs and Border Protection Commissioner Kevin K. McAleenan and held a news conference Tuesday in Washington D.C. to announce the large increase of apprehensions being made by Border Patrol agents. The latest statistics show that agents are on pace to break the record numbers of migrant crossings set last year. "El Paso sector alone has seen a 434 percent increase in apprehensions this fiscal year," McAleenan said. "The vast majority are family units and unaccompanied children coming in large groups which challenges their capacities and facilities. The facilities housing migrants in El Paso has reached capacity and gone over capacity several numerous times in this fiscal year in the first quarter." In order to address the overflow of migrants in El Paso, a new central processing center will be built in El Paso. "To help address this, we are taking steps established a central processing center in the El Paso sector," McAleenan said. "This will help us protect the health and safety of families and children in custody while streamlining operations and reducing the time we are holding families and children. The El Paso processing center will provide one location for the processing of families and children in an appropriate environment and facilitate medical assessment in one location." No other information including where the center will be built or how much it will cost has been released. McAleenan said the new processing center and medical policies are not a solution. "I want to underscore a key point here," McAleenan said. "While our enhanced medical efforts and new facilities will help with managing the increase flows and while we continue to do all that we can to address these increases in traffic safety and humanely, the fact is these solutions are temporary and the situation is not sustainable. The system is well beyond capacity and remains at a breaking point." McAleenan called for immediate action by U.S. lawmakers in addressing asylum and immigration laws that he claimed were helping to create the "humanitarian crisis" at the Southwest border. "Regardless of anyone's preferred policy outcome, the status quo is unacceptable," McAleenan said.

**[NM] Democrats' bill could make New Mexico a sanctuary state**

[Washington Times](#) [3/5/2019 10:36 PM, Associated Press, 527K, DC] reports that a new proposal would restrict federal contracts for immigration detention centers and could make New Mexico a sanctuary state. Democratic state Reps. Angelica Rubio and Antonio "Moe" Maestas are pushing a bill that limits the use of state and local resources for civil immigration custody or detention purposes. Under the proposal, state law enforcement agencies would not be able to sign new federal contracts or renew current ones involving civil immigration custody unless there have been two public meetings. Legislative analysts say the bill potentially could make New Mexico a sanctuary state in the view of the federal government and cost the state millions of dollars in federal grants. For example, last summer states nationwide, including New Mexico, did not receive more than \$335 million allocated for U.S. Department of Justice assistance formula grants. House Republicans are expected to strongly oppose the bill. Cibola County Correctional Center, a privately run prison operated by the Nashville- Tennessee-based CoreCivic, functions as a U.S.

Immigration and Customs Enforcement detention center. That center and its cash-strapped county could lose a lucrative federal contract under the proposal.

## **Legal News**

### **[NJ] South Brunswick native works tirelessly to protect immigrants' rights**

[Central Jersey](#) [3/6/2019 6:03 AM, Staff, 7K, NJ] reports since Elora Mukherjee founded Columbia Law School's Immigrants' Rights Clinic in 2014, she and her students have successfully represented hundreds of migrants and refugees who have fled violence and persecution in their home countries. "I try to identify vulnerable immigrants who will almost certainly lose their cases without high-quality counsel, and I choose projects where our clinic can add meaningful value to advancing immigrants' rights," she said in a statement provided by Columbia Law School. "I select challenging cases and projects that offer students rich learning opportunities." Mukherjee's groundbreaking work led to her being named the Jerome L. Greene Clinical Professor of Law, a new endowed chair made possible as part of a \$15 million gift in 2017 from the Jerome L. Greene Foundation, a longtime supporter of the school. "The Jerome L. Greene Foundation's generosity has made it possible to dramatically expand the reach of our work," Mukherjee said in the statement. She has been taking students to the border since the clinic's inception. Over five days, her group secured the release of 15 families after highly contested hearings held via videoconference with the faraway Denver Immigration Court.

### **[VA] 'Unrestorably incompetent,' presently unconvictable, and undeportable — Oswaldo Martinez held indefinitely in legal limbo**

[Virginia Gazette](#) [3/5/2019 2:35 PM, Steve Roberts Jr., VA] reports that more than 14 years after Oswaldo Martinez was accused of beating, raping and murdering a 16-year-old girl, his case remains in legal limbo: he still can't go to trial because he has been found "unrestorably incompetent." Now, a bill from the General Assembly awaiting Gov. Ralph Northam's signature could make it easier for the state to hold him in custody for longer periods of time with fewer court hearings. Martinez has remained at the Central State Hospital in Petersburg because he is unable to communicate with his lawyers, according to Daily Press archives. A Williamsburg judge determined he was unlikely to be made competent in the near future. Martinez cannot be criminally tried of the crimes he is accused of because of that status. Because Martinez is unable to communicate, officials with U.S. Immigration and Customs Enforcement have said they're unable to determine whether Martinez is an illegal immigrant. "In this case, we haven't been able to verify alienage or potential for removability," ICE spokeswoman Carissa Cuttrell said. Martinez is undeportable. ICE isn't the only government agency that has wrestled with Martinez's inability to communicate. Martinez's legal limbo could be set to become a new norm as a bill sailed through both houses of the General Assembly this session. The bill would reduce the frequency of court hearings for an "unrestorably incompetent" defendant to once a year for the first five years, then biannually unless the defendant is found to be competent in the interim. The change would make it easier for the state to hold Martinez or similar defendants for longer periods of time without a hearing or trial. The bill would continue to allow Martinez to be held indefinitely without trial.

### **[IA] Mollie Tibbetts' accused killer wants trial moved to less-white area**

[New York Post](#) [3/5/2019 11:45 AM, Natalie Musumeci, NY] reports the undocumented immigrant charged with the murder of University of Iowa student Mollie Tibbetts wants to have his trial moved to a county where there's more minority representation. Attorneys for 24-year-old Cristhian Bahena Rivera filed a motion on Friday arguing that the Mexican national should be tried outside of Iowa's Poweshiek County because existing bias there makes it likely that "a fair and impartial trial cannot be preserved with a jury selected from that county," the Des Moines Register reported. Rivera, a former farmhand, was charged with first-degree murder in the abduction and stabbing death of 20-year-old Tibbetts. Rivera's murder trial is slated to begin Sept. 3 at Poweshiek County Courthouse in Montezuma. Lawyers for the murder suspect said they spoke with potential witnesses, including Latinos, who expressed fear about testifying or cooperating in the investigation if the trial were to stay in Poweshiek County, according to the Des Moines Register.

**[CA] Meet the immigrant who got a second chance from Justice Neil Gorsuch**

[CNN](#) [3/5/2019 9:48 PM, Ariane de Vogue, 5847K] reports James Dimaya thought he was on the verge of deportation last year. Then, President Donald Trump's first Supreme Court nominee saved him. Now Dimaya is in the clear, working as a delivery driver in California and eternally grateful to Neil Gorsuch, perhaps an unexpected hero. "I'm truly blessed for Mr. Gorsuch," Dimaya told CNN in an interview. "I thank God I've been given a second opportunity." Dimaya was admitted to the United States in 1992 as a lawful permanent resident. In 2007 and 2009, however, he pleaded no contest to charges of residential burglary in California. In 2010, the Obama administration brought removal proceedings against him. He feared that he'd be sent back to the Philippines, a country he barely knows, while most of his immediate family lives in the United States. Dimaya says that back then he had gotten "caught up" in drugs and gang life. An immigration judge determined that he was removable from the US for his two state convictions because they qualified as an "aggravated felony" under the Immigration and Nationality Act that authorizes removal of non-citizens who have been convicted of some violent crimes and defines aggravated felony to include "crimes of violence." Dimaya's lawyers challenged the order, however, arguing that the law used against him was unconstitutionally vague. In April 2018, however, Gorsuch sided with the court's liberals in invalidating the provision of the federal law that requires the mandatory deportation of immigrants who have been convicted of some "crimes of violence," agreeing that the law was unconstitutionally vague.

**[CA] Court Urged Not To Move Challenge To Feds' Migrant Policy**

[Law360](#) [3/5/2019 8:08 PM, Kevin Penton] reports several asylum seekers, the American Civil Liberties Union and other human rights groups on Monday urged a California federal court against shifting to another part of the state their suit challenging the Trump administration's efforts to force migrants who arrive at the nation's southern border to wait in Mexico for the outcome of their cases. The U.S. Department of Homeland Security has failed to adequately demonstrate that the case should be shifted from the Northern District of California to the Southern District of California, given that half the groups are based in the northern part of the state and that courts typically defer to where plaintiffs have opted to initiate a case, according to their opposition brief. The ACLU, along with the Southern Poverty Law Center and various immigrants' rights groups, challenged in their February complaint the federal government's new policy of "catching and returning" to Mexico people who enter the United States seeking refuge. Under U.S. law, people requesting asylum are allowed to stay in the country while they wait for an immigration judge to either grant or reject their application, the complaint states. But at the end of January, the federal



government began implementing a new policy that forces asylum-seekers and others at the southern border to return to Mexico. Dubbed the "Migrant Protection Protocols," the federal government initiated the policy to combat what DHS Secretary Kirstjen Nielsen in January called the "exploitation of our generous immigration laws" by those who will fail to show up for hearings if allowed to remain in the U.S. The federal government last month urged the Northern District of California to transfer the case, arguing that it would be more convenient for the individual plaintiffs, who all sought to enter near San Diego, which is in the Southern District of California, according to court documents.

## **Enforcement News**

### **A Mother and Daughter Both Have H.I.V. The U.S. Lets in Only One.**

[New York Times](#) [3/6/2019 4:30 AM, Beth Fertig] reports Kirad and her mother, Ana Batiz, were allowed to pursue their asylum case in immigration court. But Kirad's sister Susan was not. She was sent back to Honduras by herself. In this case, a mother and a daughter with virtually identical circumstances try to immigrate to the United States. Each has an interview with an asylum officer that could alter their lives forever. One persuades her interviewer that returning to Honduras was too dangerous; she enters the country to pursue an asylum claim. The other, an 18-year-old, fails that same test. Ms. Batiz left her small village on the Atlantic coast of Honduras with plans to seek asylum, because she was persecuted for having H.I.V. The family did not join a caravan. She said they hitched rides with other Hondurans heading north. It all fell apart when they got to the Texas border. Ms. Batiz and her two daughters were taken to what immigrants call a hielera, Spanish for "icebox," a processing center run by Customs and Border Protection.

Long before the Trump administration's recent policy of separating migrant children from their parents, Customs and Border Protection agents have been taking children ages 18 and over away from their parents. This is because the agency considers them to be legal adults, who should be sent to adult detention centers instead of staying with families. With the current surge in families crossing the border, this means even more 18-year-olds could find themselves separated from their parents. But there's a paradox here. Although Susan was considered an adult at the border, she would have been considered a child in the United States as an immigrant seeking asylum. The Immigration and Nationality Act defines anyone under 21 and unmarried as a child. U.S. Citizenship and Immigration Services also uses this definition and allows children under 21 to accompany their parents to asylum interviews. These interviews are crucial because they determine whether a migrant can stay in the country and pursue their case in immigration court. When asylum officers conduct a credible fear interview, they ask basic questions about how a migrant was persecuted and what role the authorities played. Migrants who pass the test can wait years for their asylum cases to go to immigration court, because of an enormous backlog. In the meantime they can qualify for working papers. Ms. Batiz said her interview happened the same day she arrived at the "icebox." The next morning, Ms. Batiz and Kirad were released to go on to New York. They didn't know what happened to Susan, only that she had been taken away hours earlier.

Soon after arriving at her sister's home in Far Rockaway, Ms. Batiz got a call from Susan. She was 1,900 miles away at an adult detention center in Pearsall, Tex., run by Immigration and Customs Enforcement. She was examined by a doctor and given H.I.V. medications. But it took three weeks for her to get her credible fear interview. The credible fear interview

took place on Aug. 8, with an asylum officer speaking English in person and a Spanish interpreter on the phone. When we spoke in January, Susan recalled telling the officer about the persecution she suffered at school. "Because I am H.I.V.-positive," she said, "and because I am black." She said students feared she would "contaminate" them. A couple of immigration and asylum experts who viewed the transcript said Susan was rightfully rejected because she said the police were helpful. Stan Weber, an immigration lawyer in Brooklyn who previously worked for ICE, said he could see that argument, in part. Susan now claims the asylum officer pressured her to say the police were helpful. Within the transcript, she also said she was threatened at school by students about 20 times and never reported these incidents to the police "out of fear, because they told me they would hurt me more if I reported it." Later in August, Susan asked an immigration judge to review the asylum officer's decision. But she had no lawyer, and the hearing was conducted by video. The judge denied her appeal. Now Susan's only hope of coming to the U.S. lies with her mother's case. If Ms. Batiz is granted asylum, she could bring her daughter here as a dependent. Her next court date is in May, but it's just a procedural hearing. The immigration court in New York is so backlogged it could take another year or more for her trial.

**[NY] Kinimo Ngoran to be released from ICE detention after six-week saga**

[Times Union](#) [3/5/2019 9:40 PM, Mallory Moench, 105K, NY] reports the Capital City Rescue Mission chef will be released from immigration detention near Buffalo after Immigration and Customs Enforcement submitted a court filing with a federal court in Rochester at noon Tuesday, Ngoran's lawyers said. Ngoran will be coming back to Albany as soon as possible, if not today then tomorrow, his lawyer Sarah Rogerson said. ICE's court filing Tuesday also issued Ngoran a temporary stay of removal, stopping his deportation, until a decision is made on Ngoran's application to get a green card through his American citizen wife, Lisa Pepper-Ngoran. Rogerson is in touch with ICE officials about when Ngoran will be released after logistics like any money he has in a detainee account is processed. ICE spokesman Khalid Walls said Ngoran was ordered removed from the U.S. by a federal immigration judge in 2004. While Ngoran's attorney at the time worked on his appeal, the Department of Homeland Security issued him a temporary stay of deportation, forbidding his immediate removal. Ngoran's community organized a letter-writing campaign to local elected officials, set up a GoFundMe fundraising effort and created a petition urging concerned citizens to call the ICE office in Latham and demand Ngoran's freedom. Last Monday, Rochester U.S. District Court Judge Charles J. Siragusa heard the petition challenging Ngoran's detention and gave ICE a week to decide whether to grant his stay of removal and keep him in detention.

Reported similarly:

[News 10](#) [3/5/2019 1:45 PM, Staff, 23K, NY]

[Northeast Public Radio](#) [3/5/2019 4:17 PM, Dave Lucas, 10K, NY]

**[FL] Filmmakers Find Themselves 'Inside The Film' After Protagonist Is Arrested By ICE**

[WLRN-FM](#) [3/5/2019 6:25 PM, Daniel Rivero, 12K, FL] reports an undocumented immigrant who is the protagonist of a film about immigration activism premiering Tuesday at the Miami Film Festival is currently in detention after being arrested by Immigration and Customs Enforcement. The film's directors, in town for the festival, find themselves doing "crisis management." "The Infiltrators" documents a group of undocumented South Florida activists who, in 2012, plotted out a multipronged strategy to pressure the federal

government to release fellow undocumented immigrant Claudio Rojas from the Broward Transitional Center, and in the process, free others. The activists purposefully got themselves booked into the Broward Transitional Center in order to speak to Rojas, build up his case in the media and get him released. The strategy worked, and Rojas was released in 2012. He was arrested last week during a routine check-in and is being held at Krome Detention Center in Miami-Dade. A spokesperson for ICE told WLRN that the office "cannot comment on this case."

Reported similarly: [WFTV](#) [3/6/2019 1:30 AM, Adriana Gomez Licon, 47K, FL]

**[FL] Florida ICE Arrests Jumped 36.8 Percent in 2018, Largest Spike in U.S.**

[Miami New Times](#) [3/5/2019 7:41 AM, Jerry Iannelli, 66K, FL] reports for the second straight year, immigrant arrests in the Miami field area grew more quickly than anywhere else in the nation, according to a New Times review of federal data. Apprehensions in U.S. Immigration and Customs Enforcement's Miami area of responsibility – which encompasses Florida, Puerto Rico, and the Virgin Islands – spiked from 6,192 in 2017 to 8,419 in 2018, according to ICE arrest and deportation statistics for the 2018 fiscal year released last December and reviewed by New Times. That's a 36.8 percent jump. No other enforcement area saw a bigger increase. That's stunning, since the same was true last year. From 2016 to 2017, arrests in ICE's Miami area jumped a staggering 75 percent, far outpacing every other enforcement region.

**[TX] Theft trial starts for woman trying to avoid deportation**

[Waco Tribune-Herald](#) [3/5/2019 9:00 PM, Tommy Witherspoon, TX] reports friends and supporters of undocumented immigrant and 32-year Waco resident Estela Fajardo rallied in the cold on the steps of the McLennan County Courthouse on Tuesday as jury selection in Fajardo's long-awaited felony theft trial was underway inside. Fajardo, the 46-year-old mother of four U.S. citizen children, has been in jail 873 days, longer than the maximum of two years in a state jail she faces if convicted in her theft case. No matter the outcome of her criminal trial, Fajardo, who has a growing wave of supporters, faces possible imminent deportation by Immigration and Customs Enforcement officials. Prosecutors allege Fajardo bought stolen goods from men she knew to be burglars. Her supporters contend she merely was trying to help the men, and she was not aware the items were stolen. Four days before her scheduled Dec. 11 trial, ICE officials intent on deporting her removed her from the McLennan County Jail and shipped her to an immigration detention facility south of San Antonio. Immigration officials took her into custody after O'Donnell asked 19th State District Judge Ralph Strother to sign a personal recognizance bond securing her release. Normally, attorneys for defendants who cannot afford to post bond seek reduced bonds or PR bonds at hearings before judges. In Fajardo's case, she was released on the PR bond without the knowledge of Fajardo's attorney, Gerald Villarrial, or her immigration attorney, said Anali Looper of American Gateways, a nonprofit immigration legal service provider. Looper said Tuesday that she filed an order seeking to remove a standing deportation order and is asking ICE officials to allow her to fight her case against deportation in front of an immigration judge. If she gets a hearing and a judge rescinds the existing deportation order, Fajardo would become a permanent resident, Looper said.

Reported similarly: [KWTX](#) [3/5/2019 7:19 PM, Paul J. Gately, 20K, TX]

**[TX] Detainees force-fed after hunger strike in Texas deported by ICE to India**

[FOX News](#) [3/5/2019 2:17 PM, Anna Hopkins] reports two Indian men who were force-fed through nasal tubes while on a hunger strike inside a Texas detention facility have been deported, immigration officials said Monday. The two detainees held at the El Paso Processing Center were deported to India on Friday, according to U.S. Immigration and Customs Enforcement. Nine detainees have been refusing to eat in detention centers in the El Paso, Atlanta, San Diego, Miami and Seattle areas of responsibility, ICE spokeswoman Leticia Zamarripa said. A February report from USA Today, however, said there were 12 total detainees on a hunger strike at the El Paso facility: nine from India and three from Cuba. Earlier this year, federal judges authorized nose-to-stomach force-feeding of nine detainees in El Paso. In response, the United Nations human rights office said the U.S. could be violating the U.N. Convention Against Torture because it views force-feeding as potential "ill treatment." On Feb. 15, it was reported that ICE officials had stopped force-feeding the men after growing criticism. The group began their hunger strike at the beginning of the year, protesting unfair treatment at the El Paso facility, which they described as constant verbal abuse and threat of deportation by officials. They also protested the lack of information they were being provided about their asylum cases. ICE said at the time that the department "fully respects the rights of all people to voice their opinion without interference," and "does not retaliate in any way against hunger strikers."

**[TX] ICE Has Released At Least 15 of the 17 Babies Detained in Dilley, Texas**

[Pacific Standard](#) [3/5/2019 1:52 PM, Jack Herrera, 90K, CA] reports five days after legal organizations filed a formal complaint with the government over an "alarming increase" in the number of infants under the age of one detained in a facility in Dilley, Texas, advocates say at least 15 of the 17 infants have been released with their mothers. ICE confirmed the increase to Pacific Standard on Friday, and reported then that, as of March 1st, 17 infants and their mothers remained in detention in the Dilley facility, with an additional young infant in a facility in Karnes, Texas. According to Kathryn Shepherd, national advocacy counsel for the American Immigration Council, pro-bono attorneys working in the Dilley detention facility, known as the South Texas Family Residential Center, put in a request on Monday to meet with the mothers of the young babies. Upon receiving the attorneys' request, the attorneys reported that ICE informed them that 15 infants had been released with their mothers. Shepherd speculated that the families been released into the care of relatives or non-profits in the United States. Danielle Bennett, an ICE spokesperson, could not immediately confirm that the 15 families had been released, but did explain that it was not unusual for ICE to release families with children. "The typical family unit has a stay of less than 20 days at an ICE family residential center," she says.

Additional reporting:

[New York Magazine](#) [3/5/2019 5:43 PM, Opheli Garcia Lawler, 1824K, NY]

[Bustle](#) [3/5/2019 3:03 PM, Joseph D. Lyons, 2683K]

[VICE News](#) [3/5/2019 9:23 AM, Rex Santus]

[Week Magazine](#) [3/5/2019 2:35 PM, Tim O'Donnell, 327K, NY]

**[TX] Nearly 200 people in Texas immigration detention facilities have contracted mumps**

[CNN](#) [3/5/2019 4:49 PM, Michelle Lou and Susan Scutti] reports nearly 200 people at immigration detention facilities across Texas have contracted mumps since October, officials say. The 186 patients range from 13 to 66 years old, the Texas Department of State Health Services said Tuesday. Most of the cases were among detainees, though five

workers also contracted the virus. The state health department does not believe that it has spread into the community. Mumps is a contagious virus that is typically spread through saliva and mucus. Symptoms include fever, muscle aches, loss of appetite and puffiness around the cheeks and jaw from swollen salivary glands. Dr. David Persse, the city's public health authority, said he has received reports that some immigrants are showing up in court with masks on, running fevers and exhibiting symptoms of the condition. Persse urged US Immigration and Customs Enforcement to immediately start isolating people who show mumps symptoms and quarantine people who may have been infected. All detainees receive medical, mental health and dental screenings within 12 hours of their arrival at detention facilities, per ICE policy. Minors receive vaccinations in line with US Centers for Disease Control and Prevention guidelines. ICE "asks these folks about vaccination, but many of them don't have any clue or have no paperwork," Persse said. "Some of them have never seen a doctor in their entire life."

Reported similarly: [People](#) [3/5/2019 9:23 AM, Adam Carlson]

**[TX] 'It's Horrifying to Think About': Migrants and Their Young Children Are Held in Isolation at Family Detention Centers**

[Rewire.News](#) [3/5/2019 5:48 PM, Tina Vasquez] reports that family detention centers "routinely" utilize solitary confinement or "medical isolation" on parents and their young children. "While we have heard of one or two cases of people held in isolation as a punishment, it is normally because they have an inconclusive result tuberculosis test, [and it] normally turns out they do not have [tuberculosis]," Katy Murdza, advocacy manager of the American Immigration Council's Dilley Pro Bono Project, said in an email about the South Texas Family Residential Center in Dilley, Texas. U.S. Immigration and Customs Enforcement's Family Residential Standards feature an entire section on handling TB cases, including reporting standards and post-custody case management for therapy continuation, though no protocols for the use of isolation are outlined. An ICE spokesperson said in an emailed statement that, as tuberculosis is spread through the air from person to person, its facilities' standard practice for screening, testing, and treatment is consistent with the Centers for Disease Control and Prevention's. As to why a family would be held in isolation for up to two weeks, the spokesperson said, "It would depend on the patient's initial clinical presentation, i.e., whether she had symptoms consistent with TB disease, chest X-ray findings, AFB smear results, and NAA test results, and clinical and laboratory response to treatment if empiric treatment was indicated." The ICE spokesperson said it is standard protocol to keep children in isolation because "it is assumed that household contacts of people with TB disease are already exposed." When asked about whether there is any guidance on how long a child can stay in isolation, the spokesperson explained that there isn't specific guidance on this. "It might depend on whether alternate childcare arrangements are available," the public affairs officer said.

**[CO] Immigration Detainees in Aurora Will Now Be Vaccinated**

[Westword](#) [3/5/2019 7:12 AM, Conor McCormick-Cavanagh, 106K, CO] reports vaccinations may not be mandatory in Colorado, but at the immigration detention facility in Aurora, all current and future detainees will receive at least one that will cover measles, mumps and rubella, known as the MMR vaccine. The new policy comes as immigration detention facilities across the country grapple with outbreaks of diseases, including the mumps. As of now, 357 detainees at the detention facility in Aurora, which is run by private prison company GEO Group via a contract with Immigration and Customs Enforcement, are



under quarantine for possible exposure to mumps, chickenpox, or a combination of both. The number of confirmed cases is in the single digits. To respond to the mumps outbreak in particular, both the Tri-County Health Department and the Colorado Department of Public Health and Environment began working with the Aurora Contract Detention Facility in February. Along with the new vaccination policy, the two departments have also suggested best practices for identifying and tracking cases of mumps, quarantining those who may have been exposed, and testing detainees for the disease.

**[CA] Fugitive wanted in connection with infant's death was in the country illegally, ICE says**

[Bakersfield.com](#) [3/5/2019 1:42 PM, Staff, CA] A man wanted in connection with the death of a newborn baby in southwest Bakersfield is an Indian national in the country illegally, according to U.S. Immigration and Customs Enforcement. Bakhshinderpal Singh Mann, 23, is charged with being an accessory to murder after helping bury a newborn strangled by his grandmother in November, according to police. Mann was first contacted by Border Patrol agents in July 2016 when he entered the country illegally, ICE spokesman Richard Rocha said. He was transferred to ICE custody, and later released with a GPS-monitoring device pending proceedings before an immigration court. Rocha said Mann removed the GPS-monitoring device Feb. 27, the day after the baby's body was discovered buried in the backyard of a home in the 5200 block of Shining Crag Avenue, west of Stine Road and south of Panama Lane. Mann remains at large and anyone with information regarding his whereabouts is asked to notify authorities.

**[CA] Report: Mentally ill detainees in Adelanto pepper-sprayed; isolated**

[San Bernardino County Sun](#) [3/6/2019 3:01 AM, Roxana Kopetman, 18K, CA] reports that a Nigerian man held last year at Adelanto Detention Center in San Bernardino was pepper sprayed twice while in custody -- once because he wouldn't stand up, and a second time as he attempted to hang himself in his cell. His story was part of a report on the treatment of mentally ill detainees at the Adelanto facility issued Tuesday by Disability Rights California, a non-profit that serves as a legal watchdog to protect the rights of people with disabilities. The 64-page report, "There is no safety here," is one of a several recent investigations that have found problems at the Adelanto Detention Center and other California facilities that hold migrant detainees. Last month, California Attorney General Xavier Becerra issued a report that found immigrant detainees are treated like prisoners, kept in their cells up to 22 hours a day, and offered inadequate access to medical care and legal counsel. At least one other report last year noted that at Adelanto, which can hold nearly 2,000 people at any one time, investigators found nooses made by detainees in as many as 20 cells. GEO Group Inc., a private contractor that owns and operates the Adelanto facility, significantly underreports data on the number of suicide attempts at the facility, using a definition that is too narrow: "Serious self-harm intended to cause death." A spokesperson for the Sacramento-based public relations firm Stutzman Public Affairs, which represents the GEO Group, said Tuesday that their client already has addressed concerns in the report.

**{End of Report}**



# EOIR MORNING BRIEFING

U.S. Department of Justice  
Executive Office for Immigration Review  
By TechMIS

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**Thursday, Mar. 7, 2019**

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## Executive Office for Immigration Review

### The Trump Administration Will Pause Hiring Of Immigration Judges Amid A Massive Backlog Of Cases

[BuzzFeed](#) [3/6/2019 10:02 PM, Hamed Aleaziz, 8149K] reports that the Trump administration will pause its hiring of immigration judges, slow its procuring of support staff, and cancel a training conference, dealing a setback to the government's efforts to cut down on a crushing backlog of cases, according to a Justice Department email obtained by BuzzFeed News. James McHenry, director of the Executive Office for Immigration Review, notified immigration court staff in an email Wednesday morning, advising that the timing of the 2019 budget process has left them "considerably short of being able to fulfill all of our

current operational needs." McHenry cited increases in costs related to transcriptions, operational needs, and interpreters. "This challenging budget situation has led us to a position where difficult financial decisions need to be made," wrote McHenry. As a result of the funding issues, McHenry said, the court does not "anticipate" it will be able to hire additional judges after an already scheduled class of judges is brought on board in April. The budget costs will also impact the court's hiring of 250 attorneys needed to support immigration judges. The pause on hiring delivers a blow to an administration that has long complained that the immigration court backlog, which has increased in recent years to more than 800,000 cases, has led to wait times stretching months and years. McHenry noted that the administration had hired 174 new immigration judges in the last two years and now has more than 400 judges on staff. The news comes a day before McHenry is set to speak before the House Appropriations Committee and as the court withstands criticisms from the union that represents immigration judges and moves to increase productivity, including quotas. In recent months, many judges, who oversee asylum claims and deportation cases, have retired or resigned citing interference in how they were handling cases.

Reported similarly: [The Hill](#) [3/6/2019 11:11 PM, John Bowden]

### **Migrants in Limbo as Court Backlog Balloons and Costs Skyrocket**

[Bloomberg](#) [3/6/2019 11:51 AM, Michaela Ross and Paul Murphy] reports stacks of immigration paperwork from a nearly million-case backlog. Law clerks' desks pressed into hallways as office space needs overflow. Language interpreters rationed between courtrooms. While the Trump administration continues to declare an immigration crisis at the U.S. border, legal and immigration groups say underfunded immigration courts are straining the system leaving migrants in limbo in the U.S. an average of two years before their day in court. Spending at U.S. immigration courts has almost doubled to \$119 million in fiscal 2018 from \$61 million in fiscal 2015, an analysis of contracts shows. But despite the spending and lawmakers' efforts to bolster the immigration courts, the backlog has also doubled. As of January, the case backlog stood at 830,000, according to data from TRAC's Immigration Project at Syracuse University. That doesn't include potentially hundreds of thousands more cases caught up in procedural delays and the government shutdown earlier this year. The court's bottleneck has drawn ire and concern from both parties. President Donald Trump last year lamented that the pace spurs more undocumented migrants to cross the border and suggested, without evidence, that the long line leads to bribery and corruption. Meanwhile immigration and court advocacy groups and some Democratic lawmakers say the courts may be more fundamentally broken, and are being used as a political tool of the administration to rob asylum seekers of due process.

"It doesn't matter how much money you throw at it, it's broken," Judge A. Ashley Tabaddor, speaking in her role as the president of the National Association of Immigration Judges, a union, said in an interview. A new pot of funding provided by Congress in February laid out even more money for contracts as well as judge and clerk salaries. Still, current and former judges and legal groups say it remains insufficient to dent the backlog, and disagree over what mix of policies and funding would help. Some suggest a complete restructuring of the court outside the political confines of the Justice Department, while others urge more judges, policies to speed consideration of cases, tighter immigration laws, and more technology. The largest portion of the immigration court system's contract costs stemmed from an increase in interpretation service, according to the Bloomberg Government analysis. A spokeswoman at the Justice Department confirmed that finding, saying such services cost \$60 million last fiscal year and are expected to increase again this year.

Interpretation spending is being driven in part by an increase in hearings for non-English speakers, the rate structure of the contracts, and a doubling of the number of asylum applications between fiscal 2016 and 2018, the Justice spokeswoman said. The immigration court office in its budget justification last year said the backlog stemmed from a mix of factors, such as challenges in hiring judges quickly, and more immigrants seeking to stay in the U.S., as the Department of Homeland Security—which houses Immigration and Customs Enforcement, Customs and Border Protection and U.S. Citizenship and Immigration Services—steps up efforts to deport them.

## **Policy and Legislative News**

### **Trump tells Republicans to 'stay united' in face of push to nix border emergency declaration**

[FOX News](#) [3/6/2019 3:05 PM, Adam Shaw, 9216K] reports President Trump on Wednesday urged fellow Republicans to "stay united" in the face of a Democrat-led effort to nix his declaration of a national emergency at the border. "Senate Republicans are not voting on constitutionality or precedent, they are voting on desperately needed Border Security & the Wall," he tweeted. "Our Country is being invaded with Drugs, Human Traffickers, & Criminals of all shapes and sizes. That's what this vote is all about. STAY UNITED!" The House voted last week to block Trump's emergency declaration, which could help free up billions of dollars to fund a wall on the southern border. The vote was 245-182, with 13 Republicans joining Democrats in voting for the legislation. While most Republicans in the Senate have supported Trump's executive order, enough have expressed their disapproval that the measure could pass once it reaches the Senate. [Editorial note: consult source link for video]

### **Trump's harsh immigration tactics aren't working. Migrant crossings are soaring**

[Los Angeles Times](#) [3/7/2019 6:10 AM, Staff, 3575K] reports that the federal government reported Tuesday that immigration agents apprehended 76,000 people — most of them families or unaccompanied minors — at the U.S.-Mexico border in February, twice the level of the previous year and the highest for February in 11 years. The increase continues a trend that began in the fall, and offers direct evidence that President Trump's strategy of maximal enforcement at the border is not reducing the flow of migrants. The vast majority of the families flowing north in recent months come from poor regions of Guatemala, including the Western Highlands region, where food insecurity and local conflicts over land rights and environmental protections are pushing more people off their farms and into even deeper poverty, according to human rights observers and U.S. Customs and Border Protection. Just months earlier, gang violence in urbanized areas were pushing people north to the United States; increasingly now, it's economics. But experts argue that Trump's rhetoric may be playing a role too. The more he threatens draconian enforcement measures and cutbacks in legal immigration, the more people contemplating moving north are pushed to go sooner, before it gets even harder to reach the U.S. The system is overwhelmed. More judges and support staffs are necessary for the immigration court system, something the Trump administration has, to its rare credit, sought from Congress. Yet the unconscionable case backlog there has continued to grow — in part because the increase in enforcement actions has created more immigration court cases, in part because the Justice Department ordered the courts to reopen cases that had been closed administratively without deportations, often because the migrant was in the process of obtaining a visa.



## **Customs and Border Protection says U.S. laws, court rulings to blame for migration spike**

[Arizona Republic](#) [3/6/2019 3:08 PM, Daniel González, 695K, AZ] reports the head of U.S. Customs and Border Protection on Wednesday put most of the blame for the recent spike in migrant families and children arriving at the border on U.S. immigration laws and court rulings. These laws and court rulings require the U.S. government to release migrant families and migrant children from Central America into the U.S. while they await the outcome of their immigration or asylum cases, Customs and Border Protection Commissioner Kevin McAleenan told the Senate Judiciary Committee. As a result of the current "catch and release" policy, more migrants are encouraged to come, often putting their lives at risk during the dangerous journey through Mexico by turning to criminal smuggling organizations who are exploiting the U.S. asylum system, McAleenan said. McAleenan acknowledged conditions in Central America are pushing many migrants to flee, including high levels of violence, and said supporting governments in Honduras, El Salvador and Guatemala could help reduce the flow. Changes to the immigration system would have the biggest impact on deterring migrants families and children who don't qualify for asylum from coming, McAleenan said.

[VOX](#) [3/6/2019 4:05 PM, Dara Lind, 2855K] reports in February 2019, 66,450 migrants crossed the US/Mexico border between official border crossings and were apprehended by US Border Patrol agents, committing the misdemeanor of illegal entry. It's a sharp increase from January and marks an 11-year high. The number reflects an ongoing trend: record numbers of families coming to the US without papers. The Trump administration reported that 76,103 people tried to enter the US without valid papers in February. That number combines people who came to official border crossings and migrants who were caught by Border Patrol after crossing illegally. The total has alarmed conservatives; President Donald Trump has taken it as validation of his decision to declare a national emergency and appropriate more funding to build "a wall" along the border. While current apprehension levels are higher than they've been in the last decade, they're still way below pre-recession levels. What is truly unprecedented is who the migrants are. Almost two-thirds of Border Patrol apprehensions are of parents and their children.

## **471 parents were deported from US without their children during family separations**

[CNN](#) [3/6/2019 7:37 PM, Priscilla Alvarez, 5847K] reports that the Trump administration identified 471 parents who were removed from the United States without their children, according to the latest court filing in an ongoing lawsuit. At least some of those parents were deported "without being given the opportunity to elect or waive reunification" in accordance with a court order in June 2018 that required the government to better document waivers. A Department of Homeland Security spokesman says prior to instituting the new waiver procedure ordered last June, separated parents were routinely asked by Immigration and Customs Enforcement and their home consulates if they wished to be reunited with their children before being removed to their home countries. The revelation came in a filing in the family separation lawsuit Ms. L et al. vs. Immigration and Customs Enforcement et al. The American Civil Liberties Union filed the case against the Trump administration last year on behalf of a Congolese woman, referred to as "Ms. L," who was seeking asylum in the US and was separated from her 7-year-old daughter. The case was later expanded to a class-action lawsuit. District Judge Dana Sabraw issued a preliminary injunction last June blocking most family separations at the US-Mexico border and ordering that those already separated be reunited. Wednesday's court filing notes that since the preliminary injunction was issued, the government has worked with a steering committee

regarding the status of deported parents who have children remaining in federal care. As of Monday, 2,741 of 2,816 children have been discharged from government care, up six since the Feb. 20 status report. [Editorial note: consult source link for video]

Reported similarly: [The Hill](#) [3/6/2019 8:40 PM, John Bowden, 3038K]

### **Homeland Security Chief Spars With Democrats Over Splitting Migrant Families**

[New York Times](#) [3/6/2019 12:51 PM, Zolan Kanno-Youngs and Michael D. Shear] reports Kirstjen Nielsen, the homeland security secretary, on Wednesday implored Congress to confront what she called a "humanitarian catastrophe" on the southern border by supporting President Trump's call for a border wall and changing laws to crack down on asylum-seekers and illegal border-crossers. In her first congressional appearance since Democrats took control of the House, Ms. Nielsen was defiant in the face of criticism of the administration for its treatment of migrant families at the border, especially its decision last summer to separate children from their parents. "Our capacity is already severely strained, but these increases will overwhelm the system entirely," Ms. Nielsen told members of the House Homeland Security Committee. "This is not a manufactured crisis. This is truly an emergency." Democrats demanded that Ms. Nielsen address the chaos that followed the family separation decision, the deaths of migrant children in federal custody and Mr. Trump's claim of a national emergency at the border that he has said requires construction of a border wall.

[The Hill](#) [3/6/2019 1:44 PM, Rafael Bernal, 3038K] reports Rep. Nanette Diaz Barragán (D-Calif.) rebuked Secretary Nielsen on Wednesday over the administration's application of asylum laws. Barragán questioned Nielsen's claim that asylum-seekers are not turned away at ports of entry. "They are not turned away," responded Nielsen. Barragán then told Nielsen of an incident she witnessed crossing the border over the weekend, where a border agent allegedly turned away a Honduran asylum-seeker and his son at a port of entry. "Let me tell you, madam secretary, either you are lying to this committee or you don't know what's happening at the border," Barragán told Nielsen. The administration has been accused of slow-walking asylum-seekers at ports of entry, forcing many to attempt illegal crossings at undesignated locations along the border. Apprehension of border-crossers spiked in February, but the majority of people apprehended voluntarily gave themselves up to Border Patrol agents to claim asylum. "You said that you wanted to give direction on the family separation policy because you wanted to do it with compassion. Do you know how outrageous that sounds?" asked Barragán, without waiting for a response from Nielsen. "You wanted to separate children and families, and you wanted to do it with compassion? So in the meantime you didn't do anything at all and you let kids be separated without tracking them," she added.

Additional reporting:

[Washington Post](#) [3/6/2019 12:49 PM, Associated Press]

[Washington Post](#) [3/6/2019 2:01 PM, Aaron Blake, 9763K]

[Politico](#) [3/6/2019 4:00 PM, Ted Hesson, 2577K]

[Bloomberg](#) [3/6/2019 12:19 AM, Daniel Flatley]

[Wall Street Journal](#) [3/6/2019 4:24 PM, Louise Radnofsky and Joshua Jamercon]

[The Hill](#) [3/6/2019 5:31 PM, Brett Samuels and Rafael Bernal, 3038K]

[Huffington Post](#) [3/6/2019 10:55 PM, Nick Visser, 6834K]

[Washington Times](#) [3/6/2019 4:05 AM, Staff, 527K, DC]

[Washington Times](#) [3/6/2019 8:12 PM, Stephen Dinan, 527K]

[Washington Examiner](#) [3/6/2019 2:33 PM, Anna Giaritelli, 629K, DC]

[CNN](#) [3/6/2019 6:38 PM, Priscilla Alvarez, Geneva Sands, and Catherine E. Schoichet]

[CNN](#) [3/6/2019 11:10 AM, Priscilla Alvarez, 5847K]

[FOX News](#) [3/6/2019 10:58 AM, Adam Shaw, 9216K]

[FOX News](#) [3/6/2019 11:03 PM, Paulina Dedaj, 9216K]

[The Daily Caller](#) [3/6/2019 11:01 AM, Saagar Enjeti, 867K, DC]

### **Nielsen says Homeland Security is on track to detain 900,000 migrants this fiscal year**

[Washington Post](#) [3/6/2019 6:18 PM, Maria Sacchetti, 9763K] reports that Homeland Security Secretary Kirstjen Nielsen said the United States is on track to apprehend more than 900,000 migrants at the U.S.-Mexico border this fiscal year, as she pleaded with skeptical House Democrats on Wednesday to support President Trump's declaration of a national emergency to build a border wall. After a major spike in border crossings last month, U.S. Customs and Border Protection is on track to detain far more than the 521,000 taken into custody in fiscal 2018, she said. That would require sustained border crossings at rates unseen in more than a decade. Nielsen, testifying for the first time since Democrats took control of the House, said smugglers are encouraging families to file false asylum claims that virtually guarantee them entry into the United States, and she urged Democrats to support increased enforcement. The hearing came a day after Customs and Border Protection Commissioner Kevin McAleenan said the migration system is "at a breaking point," with soaring numbers of families surrendering in groups of 100 to 300 at a time. CBP detained 76,103 migrants last month, the highest February since 2007, when almost 80,000 were apprehended. Of those who were detained last month, about 40,000 were parents and children traveling together, a 67 percent increase from January. [Editorial note: consult source link for video]

### **Nielsen Says Deported Parents Had Chance To Take Kids**

[Law360](#) [3/6/2019 3:58 PM, Kevin Penton] reports Department of Homeland Security Secretary Kirstjen Nielsen told congressional leaders Wednesday that no parent who has been deported was sent out of the country "without multiple opportunities to take their children with them." Nielsen told Rep. Bennie Thompson, D-Miss., during the hearing before the House Homeland Security Committee that while the federal government has deported adults without their children, that decision has been made by the adults, who have been given the option of taking the minors with them. "There has been no parent who has been deported, to my knowledge, without multiple opportunities to take their children with them," said Nielsen, who conditionally agreed to provide the committee with a list of the separated families as long as releasing the information does not conflict with litigation related to the matter. Thompson, who chairs the committee, and Rep. Bonnie Watson Coleman, D-N.J., both questioned Nielsen on whether children were or are continuing to be kept in "cages," with Coleman wondering whether the spaces are different from what dogs would be stored in and Thompson wanting Nielsen "to admit the cages exist." "To my knowledge, [U.S. Customs and Border Protection] never purposely put a child in a cage," Nielsen told Thompson.

### **DHS Sec. Nielsen: Cartels Are 'Recycling' Children Across The Border**

[The Daily Caller](#) [3/6/2019 1:24 PM, Amber Athey, 867K, DC] reports the Department of Homeland Security says smugglers on the U.S.-Mexico border are using "recycling rings," a process in which children are passed back across the border in order to help multiple adults

gain illegal entry. DHS Secretary Kirstjen Nielsen mentioned the practice Wednesday during a hearing with the House Committee on Homeland Security, stating, "The children are being used as pawns to get into our country. We have encountered recycling rings, where innocent young people are used multiple times to help illegal aliens gain illegal entry," she explained. Current immigration law limits the length of time that family units can be held in detention at the border to 20 days, meaning these groups of illegal immigrants are usually released to the interior of the United States while they await court proceedings. In some cases, the children and "parents" in question are not even related – DHS separated 170 adult and child units between April 19 and Sept. 30 last year because the persons involved had no familial relation. "Smugglers and traffickers have caught on, realizing that the outdated laws, lack of resources, and bad court decisions effectively give them a free ticket to America," Nielsen argued. "Information about the weaknesses in our system have spread quickly in Central America -- in fact, they are advertised." Former Acting Immigration and Customs Enforcement Director Tom Homan confirmed that his agency has seen "the problem before" of children being used multiple times to help unrelated illegal immigrant adults gain entry to the U.S. Homan told The Daily Caller that the "zero tolerance" policy preventing family separations has only further incentivized the use of children because they can no longer be held separately while their adult chaperones undergo immigration proceedings. Smugglers are able to get away with re-using children because border agents are not allowed to take fingerprints on any children under the age of 14 in order to record their data. "The solution is getting biographic and biometrics data" on children who cross the border, Homan said, while National Border Patrol Council President Brandon Judd suggested the use of 90-minute DNA tests. Judd claimed that ICE's Homeland Security Investigations unit is currently investigating cases involving the re-use of children to help adults gain entry.

Reported similarly: [Breitbart](#) [3/6/2019 2:02 PM, Bob Price]

**Nielsen says U.S. working on migration crackdown agreement with Central America**  
[NBC News](#) [3/6/2019 2:27 PM, Daniella Silva, 4061K] reports Homeland Security Secretary Kirstjen Nielsen said Wednesday that the U.S. was working on an agreement with Central American countries to crack down on migration, human trafficking and so-called caravans of migrants and refugees as she faced fierce criticism from Democrats about the separations of children from their parents at the border. The U.S. was expecting to sign "a historic regional compact" with Northern Triangle countries to "counter irregular migration, human smuggling, trafficking and the formation of caravans" in March, Nielsen said during her first congressional appearance since Democrats won the House in the midterm elections.  
[Editorial note: consult source link for video]

### **Here's Why What's Happening On The Border Is Unprecedented, According To Top Officials**

[The Daily Caller](#) [3/6/2019 2:59 PM, Saagar Enjeti, 867K, DC] reports illegal arrivals at the U.S. southern border are at a 10-year high with no sign of abatement, current and former officials tell The Daily Caller. U.S. authorities are warning that the situation is completely unprecedented and nearing a full blown crisis. President Donald Trump responded to the developing situation by declaring a national emergency at the border in mid-February in order to use military funds and begin construction on a border wall. Critics of the Trump administration say the White House is manufacturing a crisis in order to fulfill a signature campaign promise. These critics are quick to point to U.S. Customs and Border Protection

data, which shows that the total number of border apprehensions has more than halved since a peak in the mid-2000s. "What's different about the current migrant flow -- and this is important -- is not just how many people are coming but who is arriving. Historically, illegal aliens crossing into the United States were predominantly single adult males from Mexico with no legal right to stay here, and who we could quickly detain and remove within 48 hours," Homeland Security Secretary Kirstjen Nielsen testified Wednesday before Congress. National Border Patrol Council President Brandon Judd explained to the Caller, "the vast majority of the people crossing the border illegally 10 to 20 years ago were from Mexico, and were repatriated almost immediately upon crossing the border illegally."

Former Acting ICE Director Thomas Homan echoed Nielsen and Judd's explanation to the Caller, noting that in the mid-2000s it was extremely simple to deport a detained would-be illegal immigrant. "I caught the same guy 3 or 4 times in a shift," he exclaimed, noting that agreements with Mexico made repatriation simple for single males from Mexico. "Now you've got these family members from Central America, they're children," he continued, adding "they can't be returned." Homan added that further complicating the system is the asylum process, with families requesting the legal status in en masse. "Only one in ten are ultimately granted asylum by an immigration judge. Unfortunately, when it comes time to remove the other 90 percent, they have often disappeared into the interior of our country," Nielsen said of the families. National Border Patrol Council President Brandon Judd, Homan, and Nielsen warned that Mexican drug cartels are profiting off the business of human smuggling and taking advantage of the border crisis to move their product.

### **'Remain in Mexico' Policy Stirs Concern Among Mexican Officials Struggling With Migrant Arrivals**

[KQED](#) [3/6/2019 6:16 PM, Alexandra Hall, 160K, CA] reports that as local officials on the Texas-Mexico border scramble to accommodate thousands of recent migrants from Central America and beyond, they are bracing for the U.S. to expand its "Remain in Mexico" policy, which could send many more people back across the border to wait while their asylum claims are processed. The new policy, which is already in force at the Tijuana-San Diego border, has officials in the Mexican state of Chihuahua concerned that they can't handle the coming waves of migrants. "We don't agree with this program. Without it, we have enough problems," said Ramon Galindo, sub-secretary of social development for Chihuahua's northern region. "If they use Mexico as a hotel for migrants, it's going to create a bigger problem than we have now." Galindo was one of several state and local leaders who met on Friday with Customs and Border Protection and other U.S. immigration officials at the Mexican Consulate in El Paso about the policy. Over the past few weeks, officials have been attending meetings like these while maintaining a local sports arena-turned-shelter for hundreds of migrants waiting to ask for asylum in the U.S. "In spite of the fact that it has been implemented in Tijuana, we still do not have information from the Mexican federal government or U.S. authorities about how this program will work," said Enrique Valenzuela, general coordinator with the state population agency COESPO.

### **US asylum shift targets Spanish speakers, Latin Americans**

[Associated Press](#) [3/7/2019 2:00 AM, Elliot Spagat] reports border agents have been told to explicitly target Spanish speakers and migrants from Latin America in carrying out a Trump administration program requiring asylum seekers wait in Mexico, according to memos obtained by The Associated Press that reveal some inner workings of a top government priority to address the burgeoning number of Central Americans arriving in the country. The



program initially applied only to those who turned themselves in at official border crossings, but a memo from a division chief of the Border Patrol's San Diego sector says it expanded Friday to include people who cross the border illegally. The guidance includes instruction about various groups of immigrants who are not to be sent back to Mexico and instead go through the traditional asylum process in the U.S. immigration court system. Authorities said previously that Mexican asylum seekers are excluded, as are children traveling alone. The instructions say Mexican officials insist that no more than 20 asylum seekers are returned each day from San Diego to Tijuana, Mexico, on Monday through Saturday. Asylum-seeking families are typically released from U.S. custody immediately and allowed to settle with family or friends while their cases wind through immigration courts, which often takes years. Critics say that amounts to "catch-and-release," which administration officials want to limit with the new Mexico program. In a statement, the Department of Homeland Security described the program as "another tool available in the law" to respond to the record numbers of Central American migrants arriving at the border in recent months.

### **Hundreds of immigrant recruits at risk 'death sentence' after Army bungles data, lawmaker says**

[Washington Post](#) [3/6/2019 5:05 PM, Alex Horton, 9763K, DC] reports army officials inadvertently disclosed sensitive information of hundreds of immigrant recruits from nations such as China and Russia, in a breach that could aid hostile governments in persecuting them or their families, a lawmaker and former U.S. officials said. A spreadsheet intended for internal coordination among recruiters was accidentally sent to recruits and contained names, full Social Security numbers and enlistment dates. The list was sent out inadvertently at least three times between July 2017 and Jan. 2018. The breach prompted at least a dozen asylum claims amid concern that if the list were intercepted and recruits are forced to return to autocratic nations such as China or Russia, their enlistments would be harnessed to punish recruits or their families with jail time, harsh interrogations or worse, said Rep. Tom Malinowski, a former human rights official in the State Department under President Barack Obama.

### **Another Judge Has Ruled Trump's Crackdown On Sanctuary Cities To Be Illegal**

[The Daily Caller](#) [3/6/2019 2:02 PM, Jason Hopkins, 867K, DC] reports a California judge ruled President Donald Trump cannot withhold federal funds from jurisdictions that harbor illegal aliens, the latest in a string of court defeats against the administration's effort to crack down on sanctuary cities. Judge William Orrick III -- an Obama-appointed judge serving on the U.S. District Court for the Northern District of California -- ruled Monday that the Department of State cannot withhold federal law enforcement grants from "Sanctuary" jurisdictions without an act of Congress. The case was brought forward by the state of California and the county and city of San Francisco, all of which stood to lose over \$30 million in funding from the federal government, according to The Washington Post. "Congress knows how to grant broad discretionary authority but did not do so here," Orrick stated in his ruling, the San Francisco Chronicle reported, adding that neither the president nor the Department of Justice can mandate state and local governments to reform their policies to qualify for federal funding. Of the 29 localities that received a warning from Sessions, only the state of Oregon has not yet been cleared to receive federal grants from 2017.

### **DHS inspector general reveals new immigration probes**

[CNN](#) [3/6/2019 12:32 PM, Gregory Wallace] reports a federal watchdog is currently reviewing how the administration is processing asylum seekers and whether undocumented parents were deported without their children, the Department of Homeland Security acting inspector general revealed Wednesday. Acting IG John V. Kelly discussed three probes currently underway before a House Appropriations subcommittee, and described at least one as a result of a major report released in October that found the department was "not fully prepared" for the administration's zero-tolerance policy. The IG is following up that report with an audit of DHS computer systems for tracking undocumented immigrant children who were separated from their families. "Our audit will determine whether the IT systems and processes DHS relied upon were adequate to carry out specific border security operations, including tracking separated families, prior to and following the implementation of the 'zero tolerance' policy," Kelly said.

CBP Chief Carla Provost told a separate House committee last month that DHS systems did not have a searchable place to enter "separated members of families," and as a result, officials "had to do manual searches." Since then, the computer systems have been updated, Provost said. The inspector general is looking into a longstanding question around family reunifications: Whether separated undocumented immigrant parents were deported without their children, and if so, how many. The department said last summer that all parents scheduled for deportation were offered the opportunity to bring their children with them, but that some chose to instead leave the children in US custody. The inspector general is also looking into whether Customs and Border Protection officials are "turning away those who present themselves for asylum at ports of entry" and whether asylum-seeking families are being separated.

#### **Feinstein, Grassley call for investigation into minor sexual abuse at HHS facilities**

[The Hill](#) [3/6/2019 11:32 AM, Rachel Frazin, 3038K] reports Sens. Chuck Grassley (R-Iowa) and Dianne Feinstein (D-Calif.) are calling on the Department of Health and Human Services (HHS) inspector general to investigate reports of rampant sexual abuse against children in government facilities at the southern border. "We respectfully request that you open an investigation into the alleged widespread and long-term pattern of sexual abuse against unaccompanied children in HHS facilities and reports that these cases of sexual assault are not being appropriately investigated," the senators wrote in a letter to Inspector General Daniel Levinson. "Immigrant families and children kept in federal custody deserve to be treated with basic human dignity and respect, and should never be subjected to these forms of abuse," they added. HHS "is currently reviewing the correspondence referenced," a spokesperson for the agency said in a statement to The Hill on Wednesday. "The safety of minors is always our top concern when administering our unaccompanied alien children program," the HHS spokesperson added. The letter from Grassley and Feinstein follows up on a request the pair sent to the inspector general in July asking for an inspection into allegations of abuse at HHS and Immigration and Customs Enforcement facilities. They said in their February letter that they were told after their initial inquiry that the inspector general was looking into health and safety issues, but that they did not receive the findings of that investigation.

#### **ICE testing 10-year-old migrant girls for pregnancy due to risk of sexual assault**

[Washington Examiner](#) [3/6/2019 1:00 PM, Anna Giaritelli, 629K, DC] reports Homeland Security Secretary Kirstjen Nielsen said Wednesday that every female child over the age of 10 is being given a pregnancy test after being taken into custody by federal law

enforcement at the border because of the high risk of sexual assault during their journey to the U.S. "As you know, sir, very unfortunately because of the increase of violence, at ICE, when we have families with children, we have to give every girl a pregnancy test over 10. This is not a safe journey," Nielsen told the House Homeland Security Committee during a hearing. Nielsen said girls who arrive without parents as part of large smuggled groups or those who travel with their parents are both at risk for being raped while traveling more than 1,000 miles from Northern Triangle countries to the U.S.-Mexico border. "Under the law, we cannot send children from other countries back except for Mexico and Canada. So the Northern Triangle governments have said to us, 'Please send us our children back, we want them reunited with our families and communities here,'" Nielsen said. The Trafficking Victims Protection Reauthorization Act of 2008 mandates children from noncontiguous countries must be considered for asylum, making it nearly impossible for that minor to return home.

Reported similarly:

[CNN](#) [3/6/2019 3:29 PM, Staff]

[FOX News](#) [3/6/2019 2:15 PM, Adam Shaw, 9216K]

### **ICE Accused of Detaining Separated Parents Seeking to Reunify With Children: 'The Horror Must Stop Now'**

[Newsweek](#) [3/6/2019 12:00 PM, Chantal Da Silva, 2656K, NY] reports at least two dozen migrant parents who have returned to the U.S. in hopes of being reunited with their children have been detained by U.S. immigration authorities. According to Families Belong Together, an immigration advocacy group assisting families separated under the Trump administration's "zero tolerance" immigration policy, 29 parents, who were deported after their children were separated from them last year showed up at California's Calexico Port of Entry hoping to seek asylum and be reunited with their children. The parents and their families were escorted to the port of entry by a coalition of immigration advocacy organizations, including Families Belong Together, Al Otro Lado and Together Rising. Families Belong Together said that most of the group, at least 24 members, were still in federal custody, with 19 being held by U.S. Customs and Border Protection and another five being held in the custody of the Immigration and Customs Enforcement as of Tuesday. "This horror must stop now," Sandra Cordero, director of Families Belong Together, said in a statement to Newsweek. ICE spokeswoman Jennifer Elzea told Newsweek the agency could only comment on specific cases, but said that questions regarding any children who had yet to be reunited with family or released to a sponsor in the U.S. needed to be referred to the Department of Health and Human Services. Since Donald Trump ended his administration's widely condemned "zero tolerance" immigration policy in June, the government has identified 2,816 children who were separated from their parents last year as a result of the policy. Of those children, 2,735 had been either reunited with a parent, taken in by a sponsor or turned 18 and were, as of last month, no longer considered children.

### **[NY] Report: ICE Tracking NYC Protests Through 'Anti-Trump' Spreadsheet**

[Gothamist](#) [3/6/2019 12:36 PM, Jake Offenhartz, 226K, NY] reports ICE agents have been tracking protests in New York City – including demonstrations against white supremacy – through an "Anti-Trump Protest" spreadsheet, according to internal documents published by The Nation on Monday. The outlet reports that agency's investigative arm, Homeland Security Investigations, has been keeping tabs on a variety of left-leaning events in

Manhattan and Brooklyn. The tracking was revealed in an email sent by HSI, obtained by the magazine via a public records request, which contained a four-page "Anti-Trump Protest Spreadsheet 07/31/2018," detailing the time, location, organizers and descriptions of 17 such events happening over a 17-day period last summer. None of the events have any apparent connection to the HSI's focus on "cross-border criminal activity." The sole right-wing action included in the spreadsheet is a pro-ICE event organized by the Jewish Defense League, though that is labeled a "counter-protest." "It's distressing to have it actually confirmed, but it's not surprising," Ravi Ragbir, a leading immigrant activist with the New Sanctuary Coalition, told Gothamist. The coalition was mentioned in the database, and in subsequent email exchanges also obtained by The Nation. One shows ICE leaders apparently joking about an anti-deportation Ash Wednesday event put on by the group. Passing along the protest info to an Assistant Field Office Director Of ICE, the agency's Deputy Field Office Director in New York wrote, "Let me know if you are going to get ashes today, let's go across the street before the meeting if you're interested." Reached for comment, a spokesperson for ICE, Rachel Yong Yow, told Gothamist that "Homeland Security Investigations special agents are regularly conducting field investigations in the New York city area. The referenced email was provided to HSI agents for situational awareness." The spokesperson added that ICE "fully respects the rights of all people to voice their opinion without interference."

#### **[NC] Wake County School System Vows To Help Immigrant Students, Families**

[WFAE](#) [3/6/2019 7:27 PM, Associated Press, 11K, NC] reports the superintendent of North Carolina's largest school system is telling its immigrant students who are in the country illegally and their families that they will protect their rights in light of a recent surge in immigration arrests. Wake County Superintendent Cathy Moore says she has met with the district's principals and shared guidance on how to protect the rights of students who do not have legal status, The News & Observer of Raleigh reports. Moore joins the superintendents of Durham and Charlotte-Mecklenburg schools in making public statements in support of immigrant students in the aftermath of the recent raids. "While we are unable to control immigration issues beyond our campus boundaries, we can ensure a learning environment where legal and educational rights of students and families are protected to the fullest extent of the law," Moore said during a board meeting on Tuesday. Concerns have risen since ICE agents detained more than 200 people in February across the state who are thought to be living in the country illegally. ICE officials cited how sheriffs in some large North Carolina counties, including Wake, Durham and Mecklenburg, are no longer notifying them about the legal status of inmates in county jails.

#### **[NC] County to cease honoring ICE detainees, sheriff says**

[Asheville Daily Planet](#) [3/6/2019 11:55 AM, Staff, NC] reports Buncombe County Sheriff Quentin Miller announced during a Feb. 26 press conference that he is making a major change in his office's relationship with the U.S. Immigration and Customs Enforcement. Specifically, Miller said his office no longer will honor ICE detainees, which are holds placed on inmates who federal immigration officials suspect are in the country illegally. "The Buncombe County Sheriff's Office will continue our policy of not participating or assisting in ICE raids and our deputies will not gather information based on any individual's immigration status or ask about their citizenship. The Sheriff's Office has been operating without a 287g agreement in place for many years and Buncombe County has a low crime-rate and a good quality of life. The policy directive announced today is a continuation of that." Miller continued, "The Buncombe County Sheriff's Office and the Detention Center WILL honor

criminal warrants that have been signed by a judicial official. I understand that I will be attacked for this policy directive, maybe even by ICE. However, a detainer request is not a valid warrant."

#### **[NC] Guilford County Sheriff's Office To Continue To Work With ICE**

[WUNC](#) [3/6/2019 1:28 PM, Naomi Prioleau, 13K, NC] reports the Guilford County Sheriff's Office won't change its detainer policy for undocumented immigrants. The policy, which has been in place for years, states that the Guilford County Sheriff's Office will continue to keep Immigration and Customs Enforcement updated on an undocumented inmate's status. However, the office won't honor requests from ICE to hold an inmate up to 48 hours after state criminal charges have been resolved. Immigrant rights activists want Guilford County Sheriff Danny Rogers to issue criminal judicial warrants before interviewing or detaining undocumented immigrants in the county jail.

#### **[WI] Milwaukee County Sheriff's Office will no longer share information with ICE**

[The Hill](#) [3/6/2019 3:43 PM, Owen Daugherty, 3038K] reports the Milwaukee County Sheriff's Office announced this week that it would stop providing information to officials from Immigration and Customs Enforcement about individuals detained in its jail. The decision comes as a new sheriff took office earlier this year, replacing Sheriff David Clarke, who was an early and vocal supporter of President Trump throughout his campaign. Sheriff Earnell Lucas told WPR News his office put in place a new policy that would stop it from sharing information with ICE without a valid judicial warrant. "When law enforcement agencies fail to honor immigration detainers and release serious criminal offenders onto the streets, it undermines ICE's ability to protect public safety and carry out its mission," a spokesperson for ICE told The Hill. "Ultimately, efforts by some politicians have shielded removable criminal aliens from immigration enforcement and created another magnet for more illegal immigration, all at the expense of the safety and security of the very people it purports to protect."

#### **[TX] Austin Pol P.O.'d Over Police Department's Role In Immigration Enforcement**

[KTSA](#) [3/6/2019 2:32 PM, Staff, 2K, TX] reports Austin police will be reviewing cases to see who in its department has been cooperating with federal immigration officials. The Austin American-Statesman reported the city is reviewing every case where the department provided information to the immigration authorities. A memo showed that one arrestee or detainee had been asked about their immigration status, but information - like booking photos and police reports -- from more than 500 cases had been shared with federal officials. The memo is the result of a city council directive requiring the police department to report the cases where officers asked about immigration status and the requests the department receives from U.S. Immigration and Customs Enforcement for assistance. Austin police chief Brian Manley said despite the memo, all members of the immigrant community should continue to come forward if they are ever victimized. "This report clearly shows why immigrants in our community say they are often scared of interacting with the police department or with government in general," Austin councilman Greg Casar said in a Facebook post.



## Legal News

### **[CA] He was deported for a crime he committed at 19. Now a 30-year-old Cambodian refugee is back home in California**

[Los Angeles Times](#) [3/6/2019 12:25 PM, Charles Dunst, 3575K, CA] reports sitting inside the Cool Lounge on a recent afternoon, a tattooed, soft-spoken California man who was deported in 2014 to Cambodia -- a country he'd never set foot in -- was preparing to embark on a journey that had given other deportees hope. Veasna Meth, 30, spent the last five years apart from his family, who live in Sacramento, including wife Sandy Ho and their children -- son Jorden, 12, and 1-year-old Lily. Now Meth is one of the first Cambodians to be allowed to return following the 2018 Supreme Court decision *Sessions v. Dimaya*, which struck down part of a broad federal immigration law that mandated the removal of noncitizens, including longtime green-card holders, who were convicted of a "crime of violence." The court determined that the statute's language was vague, voiding the deportation order of a Philippine man who had twice pleaded guilty to breaking into an unoccupied California house. Department of Homeland Security lawyers opposed Meth's repatriation, according to court documents reviewed by The Times. Contacted for this story, a spokesperson referred to an earlier statement by the department that the Supreme Court ruling "allows our nation to be a safe haven for criminals and makes us more vulnerable as a result." An immigration judge sided with Meth, declaring his removal order "erroneous" and restoring his green card. Advocates are cautiously optimistic that the *Dimaya* ruling will open doors for the return of other noncitizens. Others warn that immigration judges retain vast discretion and can refuse for any reason to reopen cases, even those involving the "crime of violence" convictions addressed by the court. Individual cases such as Meth's do not set a precedent, they say.

## Enforcement News

### **Trump Administration Will Ask Military to Shelter Up to 5,000 Migrant Children**

[Time](#) [3/6/2019 4:56 PM, W.J. Hennigan, 2917K] reports federal officials intend to ask the Pentagon for help sheltering up to 5,000 migrant children crossing the U.S. southern border without a parent, marking an expansion of the Defense Department's role in the Trump Administration's hardline policy toward undocumented immigrants. The request is expected to come not long after U.S. Customs and Border Protection released new data showing that unauthorized crossings, especially of family units, along the Mexico border had surged to record levels in recent months. Last month, roughly 6,500 unaccompanied minors crossed the U.S.-Mexico border -- a nearly 120% increase over February 2018. HHS spokeswoman Evelyn Stauffer said that "existing shelter capacity is nearly full." The agency plans to request help from the Pentagon because of "the overwhelming number" of new unaccompanied children crossing the border. She pointed out that HHS has requested similar aid from the Pentagon in the past. [Editorial note: consult source link for video]

### **U.S. border agents had list of reporters, lawyers, activists to question**

[NBC News](#) [3/6/2019 7:30 PM, Julia Ainsley, 4061K] reports that Customs and Border Protection has compiled a list of 59 mostly American reporters, attorneys and activists for border agents to stop for questioning when crossing the U.S.-Mexican border at San Diego-area checkpoints, and agents have questioned or arrested at least 21 of them, according to documents obtained by NBC station KNSD-TV and interviews with people on the list.

Several people on the list confirmed to NBC News that they had been pulled aside at the border after the date the list was compiled and were told they were being questioned as part of a "national security investigation." CBP told NBC News the names on the list are people who were present during violence that broke out at the border with Tijuana in November and they were being questioned so that the agency could learn more about what started it. The list, dated Jan. 9, 2019, is titled "San Diego Sector Foreign Operations Branch: Migrant Caravan FY-2019 Suspected Organizers, Coordinators, Instigators, and Media" and includes pictures of the 59 individuals who are to be stopped. The people on the list were to be pulled aside by Customs and Border Protection agents for questioning when they crossed the U.S.-Mexico border to meet with or aid migrants from the Honduran caravan waiting on the Mexican side of the border. The list includes 10 journalists, seven of them U.S. citizens, a U.S.-based attorney and others labeled as organizers and "instigators," 31 of whom are American.

Reported similarly:

[The Hill](#) [3/6/2019 9:43 PM, Owen Daugherty]

[BuzzFeed](#) [3/7/2019 12:20 AM, Salvador Hernandez, 8149K]

#### **[MA] Boston Police Confirm Officer's Involvement In ICE Arrest. ACLU Wants More Info**

[WBUR](#) [3/7/2019 6:03 AM, Shannon Dooling, 271K, MA] reports that the ACLU of Massachusetts is calling on the Boston police to provide more information about a so-called "joint task force" between the department and federal immigration officials. A U.S. Department of Labor lawsuit filed last week in Boston's federal court sparked questions about the existence of such a task force. The suit alleges Boston-based Tara Construction retaliated against an employee who is not a legal resident of the U.S. Jose Martin Paz Flores was arrested by federal immigration officials in 2017 after leaving a workers' compensation meeting with his boss. Federal labor officials say Boston police Sergeant Detective Gregory Gallagher worked with federal immigration officials to arrest Flores and was present at his arrest. According to the lawsuit, Pedro Pirez, who runs Tara Construction, allegedly initiated the law enforcement investigation of Paz in 2017 by contacting Boston police Detective Juan Seoane shortly after Paz reported his injury. Boston police Sergeant Detective John Boyle, a spokesman for the force, says Gallagher is the only officer assigned as a liaison to the U.S. Department of Homeland Security [DHS] and ICE. He says it's a partnership that's existed for more than 10 years. In an interview, BPD spokesman Boyle confirms Seoane was contacted by Pirez. Boyle says Seoane received information from Pirez that Paz was involved in suspected criminal activity. Gallagher, Boyle said, then became involved in the matter when it was determined Paz had deportation orders. Attorneys for Paz say he was never charged with a crime in this matter. He's currently working elsewhere with authorization and pursuing legal status.

#### **[NY] Beloved chef released from immigration custody**

[Washington Post](#) [3/6/2019 11:04 AM, Associated Press] reports a beloved soup kitchen chef in upstate New York who was detained by immigration officials has been released from a detention center. The Times Union reports that Kinimo Ngoran (KIH'-nih-moh nuh-GOHR'-an) was released from the federal facility near Buffalo Tuesday night after Immigration and Customs Enforcement officials submitted a court filing. The immigration agency has issued Ngoran a temporary stay of removal until a decision is made on his application to get a green card through his wife, who is an American citizen. Ngoran was working for a nonprofit

organization in Albany when he was arrested Jan. 24. His arrest prompted officials and activists to rally to stop his deportation. He is a citizen of Ivory Coast who arrived in the U.S. as a stowaway.

Reported similarly:

[Albany Times Union](#) [3/6/2019 6:01 PM, Mallory Moench, 105K, NY]

[Northeast Public Radio](#) [3/6/2019 4:25 PM, Dave Lucas, 10K, NY]

[ABC 10 Albany](#) [3/6/2019 6:37 PM, Ayla Ferrone, 23K, NY]

[WNYT](#) [3/6/2019 12:36 PM, Staff, 29K, NY]

### **[FL] Ecuador Bankers Fight Deportation After Two Decades in U.S.**

[Bloomberg](#) [3/6/2019 11:21 AM, Bob Van Voris] reports two brothers who ran Ecuador's largest bank before its collapse almost two decades ago are fighting the Trump administration's move to deport them to their home country, where the government says they looted millions of dollars. William Isaias, 75, and his brother, Roberto Isaias, 74, were arrested Feb. 13 in Miami, where they've lived for about 20 years, according to court papers. The arrests came after years of failed attempts by Ecuador to extradite the two men. In 2012, the South American country convicted the brothers in absentia in connection with the embezzlement of assets at Filanbanco SA, which had collapsed in 2001. They also face a civil claim by Ecuador in Florida state court seeking to recover more than \$200 million. The two men are "unlawfully present" in the U.S. and are now in the custody of U.S. Immigration and Customs Enforcement "pending removal proceedings," ICE spokesman Nestor Yglesias said in a statement Tuesday.

### **[LA] A Mumps Quarantine in Louisiana May Have Compromised Rights of Detained Immigrants**

[Time](#) [3/6/2019 12:35 PM, Shefali Luthra and Julie Appleby, 2917K] reports a mumps outbreak and quarantine at the Pine Prairie Immigration and Customs Enforcement Processing Center in Louisiana blocked immigrants from legal resources, including their lawyers and the law library, for about two weeks in January and February, according to the attorneys. Lawyers said the illness did not stop immigration court proceedings – meaning from at least Feb. 3 to Feb. 14 quarantined individuals were required to continue with removal hearings, conducted from their dorm rooms via video chat, while not receiving access to legal aid. As of Feb. 14, 288 detained people were under quarantine, according to an ICE spokesman. Per ICE, six people at Pine Prairie had a confirmed or likely case of mumps before Jan. 15; seven cases were reported between Jan. 15 and Jan. 30; and five were reported in February. Attorneys were unable to consult with quarantined people – both when it came to taking on potential new cases and for meeting with existing clients. "Each facility is responsible for its visitation protocols for detainees exposed to infectious organisms," the ICE spokesman said. The Department of Justice tracks all immigration court proceedings and verdicts, but a spokeswoman said the February data for the Oakdale Immigration Court, which is where the cases are heard, had not yet been processed. Legal aid – and particularly the law library – are of vital help to detainees, attorneys said. According to ISLA data, more than 80% of detainees in the Oakdale Immigration Court had no legal representation during fiscal year 2018, running from October through September. That means the law library is often their only resource in crafting a defense, or simply providing the appropriate paperwork to stave off immediate deportation. In the past year, ICE confirmed, 51 of its facilities have reported investigations into mumps, chicken pox and the flu.

**[TX] Border Patrol: More than 700 migrants detained at El Paso border Wednesday**

[El Paso Times](#) [3/6/2019 6:58 PM, Aaron Montes, 15K, TX] reports more than 700 migrants were detained by U.S. Border Patrol agents in El Paso on Wednesday. The apprehensions throughout the day were among the largest numbers of undocumented migrants detained in a single day in El Paso in recent years. Several groups of migrants — primarily families and unaccompanied children from Central America — turned themselves in to Border Patrol agents throughout Wednesday, starting just after midnight and continuing through the evening. Migrant groups were walking across the Rio Grande, up a levee to the metal border fence and surrendering to agents. An unaccompanied 2-year-old was among one group of migrants, according to a release from the Border Patrol. Agents were working with nonprofit agencies to locate the child's parents.

[KVIA](#) [3/6/2019 8:44 PM, Saul Saenz, 19K, TX] reports Border Patrol Agent George Gomez says one of the things he and other agents have noticed on Wednesday, compared to previous days and past apprehensions, is Wednesday's migrant groups are immediately requesting asylum even before they are processed. "They know what to say, or they're being coached, is our educated guess," said Agent Gomez, "Based on the interviews that we're having with these individuals, it seems a lot of them already know the process or they're being coached as to what to say in order to get to that second step." An official with the Juarez Red Cross told ABC-7 immigrants are staying under bridges and near railroad tracks. The Red Cross official believes there are as many as 6,000 immigrants staying in shelters, hotels and living on the streets of Juarez. [Editorial note: consult source link for video]

Reported similarly: [Albuquerque Journal](#) [3/7/2019 1:31 AM, Matthew Reisen, 55K, NM]

**[TX] One detained baby remains in ICE custody in Dilley, Texas**

[CBS News](#) [3/6/2019 12:09 PM, Kate Smith] reports one detained baby remained in ICE custody as of Tuesday evening at the South Texas Family Residential Center, a rural detention facility where immigration advocates say infants are dealing with dirty water, limited baby food and a lack of medical care. The facility in Dilley, Texas, was holding 16 infants under a year old, including one as young as five months, as of Friday, an ICE official told CBS News via email. By Tuesday, all but one had been released, according to ICE. One infant was also being held at the Karnes detention center, another facility in Texas, ICE said. The controversial "zero tolerance" policy, also known as family separation, is another example of a policy that was unofficially in place for months before the Department of Homeland Security officially announced it. ICE did not answer multiple questions as to whether detaining babies was a new policy. In an email to CBS News, an ICE official said that the increase in detained infants was a result of increased border crossings. "As the number of family units crossing the border into the U.S. has increased, so too has the frequency of those with younger children, including infants," the official wrote. The facility has come under fire before for its treatment of especially young children. A Guatemalan woman sued the government last year after her 1-year-old died six weeks after being detained at Dilley. The woman, Yazmin Juarez, alleges her toddler, Mariee, developed a respiratory illness during their detainment and that the facility offered inadequate medical care before releasing her three weeks later. ICE officials rejected claims that the facility is unfit for babies, pointing to a nearly two-year-old report from the Department of Homeland Security's Office of Inspector General and to a media visit last summer. In an email to CBS News, an ICE spokesperson said "allegations of unsafe and unsanitary conditions at [South Texas Family Residential Center] are utterly false."

Reported similarly: [San Antonio Current](#) [3/6/2019 11:13 AM, Sanford Nowlin, 16K, TX]

**[TX] Mumps Outbreak Hits Nearly 200 People At Texas Immigration Detention Centers**

[Newsweek](#) [3/6/2019 1:10 PM, Chantal Da Silva, 2656K, NY] reports nearly 200 people at immigration detention centers in Texas have come down with the mumps since last October, according to the Texas Department of State Health Services. The department told The Texas Tribune that at least 186 patients between the ages of 13 and 66 had contracted the virus. The vast majority of cases had affected detainees, but the department, which did not immediately respond to a request for comment from Newsweek, said five facility workers had also fallen ill with the virus. The U.S. Immigration and Customs Enforcement agency did not immediately respond to a request from Newsweek on how it was addressing the spate of mumps cases. The reported mumps outbreak came as doctors working at the border warned that migrants and asylum seekers arriving in the U.S. with injuries and health problems were not receiving adequate medical care. "They're not treated as if their health and well-being is valued on any level," Dr. Anna Landau, a doctor who specializes in family medicine and volunteers at a migrant shelter run by Catholic Community Services in Tucson, Arizona, told The New York Times earlier this week.

**[CO] Colorado ICE detainees go on hunger strike amid infectious disease quarantines**

[Denver Post](#) [3/6/2019 9:31 PM, Tony Kovaleski, 380K, CO] reports that two days after U.S. Immigration and Customs Enforcement gave media a tour of its Aurora Contract Detention Facility, there are reports that dozens of detainees are beginning a hunger strike. The detainees are hoping to draw attention to continued issues with infectious diseases that have resulted in multiple quarantines. This week, more than 200 detainees in the facility on North Oakland Street are under quarantine, meaning they cannot visit with family, attend court hearings or leave their respective detention pods. Concern is growing for the families of these detainees, as some 65 have been under a mumps quarantine for two months and have just been told that quarantine will now start over again and will last another 21 days.

**[CO] State, county health officials say private Aurora ICE prison outbreak reporting has been incomplete**

[Sentinel Colorado](#) [3/6/2019 8:08 AM, Kara Mason, 2K, CO] reports blue signs on the front doors of Aurora's privately-owned immigration detention center warn visitors of mumps and chickenpox among inmates. It's a new feature on the holding facility run by GEO Group, Inc. for the U.S. Immigration and Customs Enforcement agency. It was posted two days after Aurora Congressman Jason Crow called for more transparency at the facility. Since Crow voiced concerns to reporters in front of the facility on Feb. 20, when he and Aurora City Council member Allison Hiltz were turned away for an unannounced "inspection," questions have emerged about oversight of the facility — especially how its staff addresses mandated state reports of confirmed cases of communicable, reportable diseases. Who is aware of the level of disease inside of the facility and where they are reported hasn't been clear. News about communicable diseases inside the Aurora GEO facility and others across the nation have recently garnered the attention of Congress and the public — federal investigators said "inadequate" and "untimely" medical care in a GEO-operated immigration detention center in Adelanto, California, was of concern in September. State health officials and an ICE spokeswoman affirmed that there has been miscommunications between the



detention center and the local and state health departments about self-reporting those diseases. "There were some initial reporting delays at the GEO facility. Now that disease reporting to public health is in place, state health department and Tri-County are working with the full cooperation of facility staff to improve reporting and communication among the entities," said state health department spokeswoman Shannon Barbare.

Since the visit and news conference, Crow has sought to tour the facility twice, but was turned down by GEO Group Inc. leaders. John Fabbriatore, the acting ICE field office director in Denver, told reporters the agency thought it best to keep politicians and media separate, and that Crow possibly would have been granted a tour on Feb. 20 if it weren't for the media he had alerted he would be there. "Giving media access, and not Congress, raises the question why they're trying to slow down oversight from Congress," Crow said. ICE officials said, however, that a media tour was already in the works prior to Crow's visit. The detention facility can house up to 1,532 detainees. A significant increase from the center's early days when GEO won a bid to open up a 150-bed facility in 1986. It recently opened up an annex that increased capacity by 432 detainees, according to ICE spokeswoman Alethea Smock. ICE OK'd the annex in January for 90 days. There is so far no indication whether that 90 days will be extended beyond April 27, according to Fabbriatore. "Detainees in the annex receive hot meals and medical care, including daily medications. The open environment allows for detainees to socialize," Smock said in a statement following the concerns voiced by the lawmakers about healthcare not meeting the expanding population. "In addition, all pods have regularly serviced phones for detainees to contact family members and support groups. Mobile phones are also available for private calls to legal teams. ICE takes very seriously its responsibility to care for detainees."

**[CA] An ICE jail in California may close soon. What will happen to its 400 detainees?**

[San Francisco Chronicle](#) [3/6/2019 7:00 AM, Tatiana Sanchez, 337K, CA] reports in the 15 months since he was arrested by U.S. Immigration and Customs Enforcement, Christian Villatoro has been transferred to detention facilities in Elk Grove, Richmond and, most recently, Bakersfield - each time farther from his wife, Areli Lopez, and their teenage son. Now, with the likely closure of the Mesa Verde Detention Facility in Bakersfield, where Villatoro has been detained for nine months, his wife fears he'll be transferred again. Lopez, of Sacramento, is among hundreds of family members, advocates and attorneys concerned for the nearly 400 immigrants, some from the Bay Area, detained at Mesa Verde. They say ICE has kept them in the dark about the future of the detention center since the city of McFarland in Kern County pulled out of its agreement to operate the facility in December, essentially ending Mesa Verde's operations. Citing safety concerns, ICE said it doesn't disclose details to individuals outside the facility about where detainees will be transferred. ICE said it plans to continue using the Mesa Verde Detention Center "as long as a viable contract is in effect with the facility" and will house detainees in other facilities across the country if needed. "If the facility is no longer available, each case will be reviewed and determinations on continued detention and potential transfers will be made on a case-by-case basis," the agency said in a statement.

[KVPR](#) [3/6/2019 1:50 PM, Monica Velez, 1K, CA] reports Ambar Tovar, an immigration attorney for the UFW Foundation in Bakersfield, says if Mesa Verde closes detainees would most likely be transferred to other facilities. Tovar helps run the Removal Defense Program that launched last June, and she says its main focus is getting people released from Mesa Verde. For the clients she does take on, Tovar says they wouldn't be able to keep representing them if Mesa Verde shut down and her clients were transferred. The UFW

Foundation estimates about 20 to 25 percent of the people detained in Mesa Verde are Kern County residents. Clason says detainees can save thousands of dollars with a local attorney. He says if Mesa Verde closed, most people would be transferred out of San Francisco's immigration court. "If having the detention center there is a quote-unquote 'evil thing,' the silver lining of having it there is simply that Mesa Verde is within the jurisdiction of the San Francisco or the Los Angeles immigration court, and both of those courts are the most favorable immigration courts to immigrants," Clason says. Last week, California's Attorney General Xavier Becerra released a report detailing the poor conditions inside the 10 detention facilities in the state. The report says it's "unclear" if Mesa Verde will remain open. In an emailed statement, ICE officials say, "ICE plans to continue to use the Mesa Verde Detention Center as long as a viable contract is in effect with the facility. ICE will continue to explore all options to continue the use of all current facilities."

**[CA] ICE facility in Bakersfield holding 400 detainees will remain open**

[San Francisco Chronicle](#) [3/6/2019 7:54 PM, Tatiana Sanchez, 337K, CA] reports that a U.S. Immigration and Customs Enforcement detention facility in Bakersfield that was expected to close in a few weeks -- leaving its 400 detainees in limbo -- will remain open after all, according to newly released federal documents. Citing "unusual and compelling urgency," ICE on Tuesday posted online details of a \$19.4 million, one-year contract with Florida-based GEO Group Inc. to run the Mesa Verde detention facility through March 2020. The private corporation already owns and operates Mesa Verde under a subcontract with the city of McFarland in Kern County, which expires March 18. Hundreds of families and immigration advocates said ICE kept them in the dark about the future of the detainees and were concerned they'd be transferred to other facilities, away from their attorneys. Instead, ICE sidestepped a lengthy bidding process to contract with GEO Group directly, a move that advocates criticized Wednesday. ICE on Wednesday said the contract is necessary to "prevent the immediate disruption of operations." The agency has previously said it prefers immigrants are detained in local jurisdictions, where they have access to loved ones and their attorneys. Delaying a contract would've required ICE to transfer nearly 400 detainees - some with serious medical conditions -- to other detention centers, only to bring them back to Mesa Verde once a new contract is awarded, the agency said. "This could result in a serious injury to the detainees as well as incur an unnecessary serious financial burden to cover the cost of relocating such a large population," the agency said in a public document, which detailed the terms of the contract, posted to the Federal Business Opportunities website Tuesday.

Reported similarly: [KGET](#) [3/6/2019 11:19 PM, Jose Franco, 14K, CA]

**{End of Report}**



# EOIR MORNING BRIEFING

U.S. Department of Justice  
Executive Office for Immigration Review  
By TechMIS

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**Friday, Mar. 8, 2019**

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## Executive Office for Immigration Review

### Nearly A Million Migrants in Limbo in Court Backlog

[Bloomberg](#) [3/7/2019 11:54 AM, Staff] reports stacks of immigration paperwork from a nearly million-case backlog. Law clerks' desks pressed into hallways as office space needs overflow. Language interpreters rationed between courtrooms. While the Trump administration continues to declare an immigration crisis at the U.S. border, legal and immigration groups say underfunded immigration courts are straining the system leaving migrants in limbo in the U.S. an average of two years before their day in court. Bloomberg Government's Michaela Ross discusses it with Nancy Lyons in the Bloomberg 99.1 Washington newsroom. [Editorial note: consult source link for audio]

### Trump Administration to Pause Hiring of Immigration Judges Amid Case Backlog

[Fortune](#) [3/7/2019 3:33 PM, Emily Price, 1015K] reports the Trump Administration is pausing its hiring of immigration judges, as well as slowing its procurement of support staff and canceling a training conference, according to a Justice Department email obtained by BuzzFeed News. The moves are an attempt to cut down costs so it can hire judges to handle the backlog of immigration cases. James McHenry, the director of the Executive

Office for Immigration Review, told the immigration court staff that the timing of the 2019 budget has left the office short of being able to fulfill its operational needs, according to the report. In January, a PBS NewsHour report revealed that roughly 800,000 immigration court cases were portioned across just 400 judges. At the time there was some concern that the government shutdown would force some cases to be rescheduled at the back of the queue, 2022. Due to an increase in costs for operational needs, interpreters, and transcriptions, McHenry said financial cuts had to be made elsewhere, leading to cutback. He also said that he didn't think that the court would be able to bring in additional judges after the current class starts in April and the nationwide rollout of a new online filing system will be frozen. The pause will likely further delay immigration court proceedings which already are backlogged, in some cases, by years. In recent months, a number of judges who oversee asylum and deportation cases have retired or resigned, citing interference in how they are handling cases.

### **New immigration rules on backlog cases affecting undocumented crime victims**

[KGBT 4](#) [3/8/2019 12:36 AM, Clara Benitez, 18K, TX] reports that in light of trying to deal with immigration backlog cases, former Attorney General Jeff Sessions changed the rules for continuances on cases. A Valley immigration attorney said the new rules are affecting victims of crimes that are undocumented. The U-Visa was created by congress nearly two decades ago in 2000 for undocumented immigrants who have been victims of crimes. The goal, to strengthen law enforcement's prosecution of crimes when involving undocumented immigrants. Immigration Attorney Alejandro San Miguel said U-Visa cases take up to four years to be settled, but current policies are no longer giving them the time to settle them. "It gets a little bit more complicated sets for immigration or deportation proceedings because then you're facing a time clock of an immigration judge that wants to go forward with the case not only the judges its more the department of Homeland Security," San Miguel said. San Miguel said the pressure is coming from the administration to help cut down on the thousands of immigration back log cases. Last year, the administration gave immigration judges a quota to clear 700 cases a year in order to receive a satisfactory rating. David Ayala, who spent 38 years in government as a former immigration judge, said the quota puts a strain on the system. [Editorial note: consult source link for video]

### **AILA Joins Senators in Call for Immigration Court Reform and Access to Counsel**

[Yuba Net](#) [3/7/2019 10:43 AM, American Immigration Lawyers Association] reports the American Immigration Lawyers Association (AILA) welcomes the introduction of the "Immigration Court Improvement Act of 2019" and the "Fair Day in Court for Kids Act of 2019" in the U.S. Senate, led by Senators Mazie Hirono (D-HI), Jeff Merkley (D-OR), and Catherine Cortez Masto (D-NV). Anastasia Tonello, AILA President, noted, "The U.S. immigration court system suffers from longstanding and profound problems that have hampered the capacity of the courts to deliver timely and fair decisions and undermined the public's confidence in the system itself. Since the creation of the Executive Office for Immigration Review, the courts have been controlled by the Department of Justice (DOJ), rendering them vulnerable to interference from the agency that serves as chief prosecutor for immigration cases. The 'Immigration Court Improvement Act of 2019' addresses these flaws by blocking DOJ from implementing the 'quota system' as a performance appraisal tool and putting in place measures that would help shore up judicial independence. This legislation is a small but crucial step toward urgently needed structural reform. As the next step, AILA calls upon Congress to create an independent immigration court system separate from the Department of Justice and vested with the powers of a full Article I court."



Benjamin Johnson, AILA Executive Director stated, "Even though our immigration laws are among the most complicated in the world, the government still does not guarantee legal counsel for indigent asylum seekers, children, and other vulnerable groups who cannot afford a lawyer. Though statistics show that assistance of counsel has a significant positive impact on outcomes, over the years, thousands of families and unaccompanied children have appeared in immigration court without a lawyer at their side, which can mean the difference between life and death. The 'Fair Day in Court for Kids Act' would guarantee the appointment of counsel for unaccompanied children and strengthen legal orientation programs, among other important fixes. If enacted, this legislation would provide vital safeguards for children and adults navigating this complex system. We stand with Senator Hirono, Senator Cortez-Masto, and Senator Merkley and urge bipartisan support in these efforts to balance the scales of justice. Now is the time for our nation to restore integrity to our immigration courts and fairness to our immigration legal system."

## **Policy and Legislative News**

**Border Patrol Reports 300% Spike In 'Family Crossings' Along Southern U.S. Border**  
[Daily Wire](#) [3/7/2019 1:24 PM, Emily Zanotti, 996K, CA] reports the United States Customs and Border Protection Agency says that "family crossings" are up 300% as compared to 2018, and that the overwhelming number of illegal immigrants has caused a "humanitarian crisis" along the southern border of the United States. AZ Central reports that families now account for at least 60% of all border apprehensions since October of last year. "We are currently facing both a border security and humanitarian crisis along our southwest border," a spokesperson for CBP told Arizona media. "The current situation is unsustainable," the spokesman added. In her testimony before the House Committee on Homeland Security Wednesday, Department of Homeland Security director Kirstjen Nielsen said DHS is on track for more than 900,000 apprehensions at the southern border this year, and that while the United States has a functioning border security system, the current apparatus "is clearly breaking" under the weight of such an increase in arrests. DHS is also concerned that Border Patrol doesn't have the facilities to hold so many families. Just this week, CBP admitted that nearly 200 illegal immigrant detainees contracted the mumps while in a Texas detention facility, according to local media. A Houston facility also reported a small mumps outbreak, with 11 detainees affected there.

[WBUR](#) [3/7/2019 8:00 AM, Jeremy Hobson, MA] reports more than 66,000 people were apprehended along the U.S.-Mexico border in February. This surge of migrants has reportedly pushed U.S. Customs and Border Protection to its breaking point. Here & Now's Jeremy Hobson talks with NPR's Southwest correspondent, John Burnett. [Editorial note: consult source link for audio]

Additional reporting: [Chicago Tribune](#) [3/7/2019 2:00 PM, Esther J. Cepeda, 1740K, IL]

### **Illegal Border Crossings on Pace to Hit Almost 1 Million This Year**

[Epoch Times](#) [3/7/2019 8:37 AM, Charlotte Cuthbertson] reports large groups of migrants from Central America, traveling by bus through Mexico, have become the new norm in illegal border crossings into the United States. In one instance, border agents encountered 334 illegal immigrants who had been dropped off by eight commercial buses right at the U.S.-Mexico border, Kevin McAleenan, Customs and Border Protection (CBP) commissioner, said in a Senate hearing on March 6. More than 70 large groups (of 100 or

more migrants) have been apprehended by Border Patrol so far this fiscal year—equaling more than 12,000 apprehensions. That compares to a total of 13 large groups in all of fiscal 2018. "At the current pace, we are on track to encounter close to one million illegal aliens at our southern border this year," Department of Homeland Security Kirstjen Nielsen told the House Homeland Security Committee on March 6. The vast majority of the border-crossers claim a fear of returning to their country once they enter the United States; yet only a fraction (less than 10 percent) are approved for asylum by an immigration judge.

McAleenan said that without a congressional fix to the Flores Settlement Agreement, the current trend will continue unabated. Under Flores, families can't be held in detention for more than 20 days, which is not enough time for an immigration proceeding to take place.

McAleenan said if a family is detained for six to eight weeks, their case could be decided. McAleenan also criticized the Flores agreement for perpetuating the trafficking of children, as smugglers advertise that bringing a child makes it easy to enter the United States.

McAleenan said, aside from fixing U.S. immigration laws, the border must be secured—including with around 700 miles of additional fencing—as well as the continuation of work with Mexico and Central American countries to stem the flow of migrants.

### **How Rules For Seeking Asylum At Legal Ports Of Entry Could Be Driving Families To Enter The US Illegally**

[Texas Standard](#) [3/7/2019 10:56 AM, Rhonda Fanning, 5K, TX] reports the New York Times reports that more than 76,000 migrants crossed the border without authorization in February – that's an 11-year high. And that's despite an increase in prosecutions, harsher detention policies and new controls on would-be asylum seekers. Lomi Kriel covers immigration for the Houston Chronicle, and says there has been an increase in people illegally crossing the southern U.S. border, but that more of those people are families than in years past. She says illegal border crossings by families is going up because of the rules the Trump administration started enforcing last year at ports of entry. "They'll only let six or 10 or a few dozen come across ports of entry each day," Kriel says. Kriel says the surge is partly because families are trying to get into the U.S. before the Trump administration enacts any policies that might make it harder for them to cross in the future. She also says children and families are fleeing gang violence and poverty in Honduras, Guatemala and El Salvador, which has been going on for years. U.S. Customs and Border Protection has said that El Paso is an epicenter for the surge in migrant families coming to the U.S., and Kriel says that's true. But she says it's important to look at the low number of legal asylum cases being processed during the same time period: there's been a 14 percent increase in people seeking asylum through legal ports of entry versus an over 400 percent increase of people crossing the border illegally.

### **The border is flooded with fraudulent families. When will Congress do something about it?**

[Washington Examiner](#) [3/7/2019 4:41 PM, Rachel Bovard, 629K, DC] reports when the Senate takes up a measure to disapprove President Trump's national emergency designation for the southern border, they will be doing so in the face of statistics that say otherwise. This week, Customs and Border Protection released data showing 76,103 apprehensions at the southern border in the month of February, the highest number of apprehensions in a single month since April 2008, and a 97 percent increase since last year. More than 50,000 adults are currently in Immigration and Customs Enforcement custody, the highest number ever. Kevin McAleenan, the commissioner of Customs and Border Protection who also served in the Obama administration, told reporters this week

that "the system is well beyond capacity, and remains at the breaking point." While previous immigration surges have been primarily single men, migrants are now increasingly crossing the border in family units. Of the 76,103 apprehensions in February, 40,325 were family units. The changing nature of migrants at the border means that more and more of them are turning themselves into CBP and claiming asylum before being released into the interior of the country. "Families with children can be held in detention for no longer than 20 days, under a much-debated court ruling, and since there are a limited number of detention centers certified to hold families, the practical effect is that most families are released into the country to await their hearings in immigration court. The courts are so backlogged that it could take months or years for cases to be decided. Some people never show up for court at all." The role our asylum laws play in encouraging this type of behavior is close to indisputable. Our current immigration laws allow a person here illegally to claim they have a "credible fear" of being tortured or prosecuted if they return to their country. At that point, the immigrant cannot be deported until they are taken before an immigration judge, sometimes years later, for a hearing.

**Fact Check: Tom McClintock suggests DACA is to blame for border-crossing surge**  
[Sacramento Bee](#) [3/7/2019 12:02 PM, Emily Cadei, 227K, CA] reports California Rep. Tom McClintock suggested Wednesday that the spike in migrant families apprehended at the southern border this winter is due to government policies that "reward" their behavior, particularly an Obama-era program granting legal status to young undocumented immigrants, known as DREAMers. McClintock made the remarks at a House Judiciary Committee hearing on the Deferred Action for Childhood Arrivals program, or DACA, which President Donald Trump has tried to end. McClintock's spokeswoman, Jennifer Cressy, said that his assertion was "speculation based on the coincidence of the developments." It's true, as the New York Times reported Tuesday, Customs and Border Patrol counted more than 76,000 migrants attempting to cross the border without authorization in February, the highest rate in eleven years. U.S. Customs and Border Protection Commissioner Kevin McAleenan testified at a Senate hearing Wednesday that "the belief that our system will allow migrants to stay in the U.S. indefinitely, even if they enter illegally and whether or not they have a valid asylum claim is clearly the driving pull factor for those making the decision to journey to our border." McAleenan also recognized "important push factors, which include challenging conditions in many parts of Central America." He did not mention DACA.

### **House Democrats bring back the DREAM Act**

[Washington Examiner](#) [3/8/2019 12:00 AM, Susan Ferrechio, 629K, DC] reports that Democrats next week will reintroduce the Development, Relief, and Education for Alien Minors, or DREAM, Act, a bill they have long championed that would provide a pathway to citizenship for illegal immigrants who arrived here before age 17 and meet certain other requirements. The measure, sponsored by Rep. Lucille Roybal-Allard, D-Calif., is a top priority for Democrats, who pledged to help the "Dreamers" escape legal limbo during the 2018 campaign. Roybal-Allard has sponsored DREAM Act measures in the past, but during years of Republican control, the legislation never advanced because the two parties could not agree to border security increases or other immigration reforms the GOP was seeking as part of the deal. Now the DREAM Act is poised to pass the House, with extra provisions addressing other immigrant groups seeking legal status. The measure will also include a pathway to citizenship for more than 200,000 people living in the U.S. under Temporary Protected Status and Deferred Enforced Departure. Roybal-Allard has not released the text

of the new DREAM Act, but it is expected to largely mirror the past "Dreamer" legislation she authored. [Editorial note: consult source link for video]

### **Trump administration deported 471 migrant parents from U.S. without their children**

[ThinkProgress](#) [3/7/2019 11:27 AM, Elham Khatami, 402K] reports more than 470 migrant parents were deported from the United States without their children, according to a recent court filing in the ongoing class action family separation lawsuit filed by the American Civil Liberties Union against the Trump administration states that the Trump administration did not give some of the 471 parents the opportunity to choose to be reunited with their children. It also states that of the 2,816 children who were separated from their parents, 2,741 have been reunited as of this week -- an increase of six since the last status report in February. President Donald Trump signed an executive order in June 2018 ending his administration's "zero-tolerance" policy at the U.S.-Mexico border after a federal judge ruled that the government was responsible for reuniting all migrant parents with their children in a timely manner. Despite this, the Trump administration has continued its child separation policy. In December 2018 found that the government separated more than 80 children from their parents since June 20, 2018. Federal immigration officials continue family separations by exploiting a legal loophole. The federal judge who ruled last summer that the Trump administration must reunite families also made exceptions in his decision for cases in which the parent had a criminal history or if the child's safety was at risk. The ACLU has threatened the government with another lawsuit if the grounds for these separations are unfounded.

[ABC News](#) [3/7/2019 8:56 PM, Lauren Pearle, Ozren Milharcic, and Kristofer Rios, 2413K] reports that Jesus, a migrant from Honduras who requested that for his family's safety ABC News not print his last name, said he was tricked into being deported from the U.S. without his son and was not given the opportunity to take the boy with him. Jesus said that while in government detention, officers tore Ariel from his arms. Jesus said he signed a document in English, a language he doesn't speak or write; he said he thought it was an asylum application, but it was actually a deportation agreement. "Was this an asylum request to stay here, I asked, because then I'll sign. 'Yes,' they told me. So I signed," Jesus recounted. "You just signed your deportation back to your country," Jesus said the officer told him. When he asked about his son, Jesus said the officer just said "I know nothing about him." Ariel is currently living with extended family in Washington, D.C., and has not seen his parents or sister since May 2018, according to Jesus. Spokespeople from the Department of Homeland Security, Immigration and Customs Enforcement and Customs and Border Protection have declined to comment on Jesus's claims. Lawyers for multiple government agencies, including DHS, ICE and CBP, wrote in a court filing late Wednesday that the "baseline" number of parents "who were removed from the United States without their children, and without being given the opportunity to elect or waive reunification" in accordance with a judge's preliminary injunction is 471.

### **Trump Administration Won't Say If Deported Parents Can Ever Reunite With Their Kids**

[Huffington Post](#) [3/7/2019 2:39 PM, Angelina Chapin, 6834K] reports last weekend, 29 parents from Central America were allowed to cross the border into America to apply for asylum and begin the process to reunite with their separated children. In December, the American Civil Liberties Union demanded the government let some of the deported parents back into the U.S. and submitted declarations that included their asylum claims, details of

their family separation and how their legal rights were violated. More than three months later the Trump administration still hasn't told the organization whether it will allow these mothers and fathers to re-apply for asylum. In the meantime, lawyers from Al Otro Lado, a legal aid organization that works in California and Mexico, took charge of the situation by organizing a trip to the border with 29 parents. After months of planning, 10 hours of waiting at the border and negotiations with immigration officials, the group was let through. Erika Pinheiro, the litigation and policy director for Al Otro Lado, says that during "zero tolerance" many parents didn't get a fair shot at asylum. She says some weren't given credible fear interviews -- the first step in the asylum process -- and were coerced into signing deportation forms by immigration officers who falsely said it was the only way to reunite with their kids. At a hearing before Congress on Wednesday Secretary of Homeland Security Kirstjen Nielsen said no parent was deported without being given the option to bring their child, but advocates dispute her statement. The U.S. Department of Homeland Security did not respond to HuffPost's request for comment.

### **Border agency watchdog looking into caravan database**

[Associated Press](#) [3/7/2019 5:37 PM, Elliot Spagat and Colleen Long] reports the U.S. government kept a database on journalists, activists, organizers and "instigators" during an investigation into last year's migrant caravan, infuriating civil liberties and media groups who called it a blatant violation of free speech rights. U.S. Customs and Border Protection compiled information that contained passport photos, date of birth, suspected role in the caravan and whether they had been arrested. The database was revealed Wednesday by the San Diego TV station KNSD. People listed in the Homeland Security documents provided to the station included 10 journalists, seven U.S. citizens, an American attorney and 47 people from Central America. Some of the people on the list were denied entry into Mexico and had their passports flagged. Customs and Border Protection officials didn't dispute the database, saying in a statement to The Associated Press that extra security followed a breach of a border wall in San Diego on Nov. 25 in a violent confrontation between caravan members and border agents. "Monitoring journalists and immigration advocates is outrageous -- and if based on their political opinions or legitimate human rights-related activities, as we suspect, it is unlawful," said Ashley Houghton, tactical campaigns manager for Amnesty International.

[Fortune](#) [3/7/2019 9:10 AM, Erik Sherman, 1015K] reports the leaked documents show that agents from Customs and Border Protection, Immigration and Customs Enforcement, the U.S. Border Patrol, Homeland Security Investigations, and the Federal Bureau of Investigation all used the database. The use was under a code name of "Operation Secure Line," which designated the efforts to monitor the caravan.

Reported similarly:

[New York Times](#) [3/7/2019 11:02 PM, Jose A. Del Real and Zolan Kanno-Youngs, 20737K]

[BuzzFeed](#) [3/7/2019 11:32 PM, Nidhi Prakash and Julia Reinstein, 8149K]

[CNN](#) [3/7/2019 7:55 PM, Geneva Sands and Priscilla Alvarez]

[Law360](#) [3/7/2019 10:46 PM, Lauren Berg]

[Quartz](#) [3/7/2019 11:53 AM, Heather Timmons]

[Independent Journal](#) [3/7/2019 11:09 AM, Lizzie Helmer, 43K, GA]

[San Francisco Chronicle](#) [3/7/2019 6:16 PM, Bob Egelko, 337K, CA]

### **Border Agents to Target Spanish Speakers at U.S.-Mexico Border: Report**



[Fortune](#) [3/7/2019 1:53 PM, Renae Reints] reports border control agents have been instructed to specifically target Spanish speakers and migrants from Latin America as part of the Trump administration's new policy pushing for asylum seekers to await their court dates from Mexico, the Associated Press reports. Memos seen by the AP show this program applies to immigrants both at and outside legal ports of entry. Some demographics—including pregnant women, LGBT migrants, children traveling alone, and people suffering medical issues—are exempt from the "Remain in Mexico" program and instead go through the traditional asylum process from the U.S. The decision to specifically target Spanish speakers is reminiscent of President Donald Trump's travel ban targeting many majority Muslim countries, Judy Rabinovitz, an attorney for the American Civil Liberties Union, told the AP. "We know they are trying to get at Central American asylum seekers but to see it written there so blatantly is so disturbing," she said.

Reported similarly: [Associated Press](#) [3/7/2019 10:08 PM, Elliot Spagat, 49830K]

### **David Perdue: 'Five-Alarm Crisis' at the Border, Trump Right to Act to Protect Americans**

[Breitbart](#) [3/7/2019 1:55 PM, Sean Moran, 2015K] reports Sen. David Perdue told Breitbart News on Thursday that, despite some media reports, there remains a "five-alarm crisis" at the southern border and President Donald Trump is right to take action to protect the American people. Sen. Perdue told Breitbart News that there remains a crisis at the southern border and that ending illegal immigration requires more than a wall—America needs more border patrol agents and needs to close asylum loopholes. "I just got back from the southern border. There's a five-alarm crisis going on down there. It's not just the human traffic, it's the drug traffic. This is not just about building the wall -- it's about closing the loopholes and getting border patrol agents the resources they need," Perdue told Breitbart News. "President Trump knows that, and he's right to take action to protect the American people."

### **Immigrant deaths under Trump on par with Obama numbers: DHS**

[Washington Examiner](#) [3/7/2019 7:00 AM, Staff, 629K, DC] reports the number of immigrant deaths under the Trump administration is on par with the number of deaths seen during the Obama administration, according to data obtained by the Washington Examiner. The data show no appreciable change in the death of immigrants held by U.S. Immigration and Customs Enforcement, even as Democrats this week were trying to press administration officials on death tolls. "Madam Secretary, do you know how many children have died in CBP custody under your tenure as secretary?" asked Rep. Xochitl Torres Small, D-N.M., during a House Homeland Security Committee hearing Wednesday. "Can you give me the numbers and how many children have died?" Sen. Mazie Hirono, D-Hawaii, similarly warned that "No one should be dying when they are in our custody and under our care." According to ICE data obtained through a Freedom of Information Act request there's been very little change under Trump. In 2009, when former President Barack Obama took office, 10 people in ICE custody died. Five died in 2012, and 12 died in his last year in office, 2016. In 2017, 10 detainees died, and 12 died in 2018, according to data from the American Immigration Lawyers Association.

### **Senators push Trump on emergency legal status for 74,000 Venezuelans**

[Washington Examiner](#) [3/8/2019 12:29 AM, Joel Gehrke, 629K, DC] reports that President Trump's top congressional allies in the Venezuela crisis are urging him to grant emergency

legal status to thousands of people who have fled strongman Nicolas Maduro's rule. President Trump's team has been mulling the possibility of granting Temporary Protected Status, a legal protection from deportation that can be granted to people who confront "extraordinary and temporary conditions" in their home country, for weeks. They haven't come to a decision yet, but congressional support for the proposal is building as lawmakers look to alleviate the humanitarian crisis under way as Maduro defies international calls to relinquish power. Sen. Marco Rubio, R-Fla., introduced legislation last week to grant the emergency reprieve to Venezuelans, after Rep. Mario Diaz-Balart, another Florida Republican who works closely with the administration to chart an aggressive course against Maduro and his Communist patrons in Cuba, offered the same idea in the House. "The move would not only immediately help innocent Venezuelan citizens, but would demonstrate our nation's commitment to supporting a safe democratic transition in Venezuela so that individuals can safely return home soon," Rubio wrote Thursday.

#### **[NY] NY bills would outlaw deportation threats used as coercion**

[Washington Times](#) [3/7/2019 8:00 AM, Associated Press, DC] reports bills circulating in New York's Legislature would make it illegal to use the potential for deportation as a threat. According to the Times Union of Albany, such threats could be used by abusive partners, landlords or employers to coerce or extort immigrants. The state labor department says there's an increasing problem of employers using immigration status as a threat. A vote is expected soon on a bill by Democratic Sen. Anna Kaplan of Great Neck. Democrat Michaelle Solages of Elmont is pushing similar legislation in the Assembly. Republican Sen. Thomas O'Mara of Big Flats says current laws provide enough protection. He says there's "no need to carve out a special category for illegal immigrants."

#### **[NM] Proposed Bill Could Make New Mexico a Sanctuary State**

[Epoch Times](#) [3/7/2019 5:39 PM, Matthew Vadum, 221K] reports a bill in the New Mexico legislature that would restrict U.S. government contracts for immigration detention centers could turn the Land of Enchantment into a sanctuary state. Democratic state Reps. Angelica Rubio and Antonio Maestas are promoting a bill that narrows the use of state and local resources to detain those accused of violating federal immigration laws. Republican lawmakers in New Mexico are expected to oppose the bill and one GOP officeholder at the county level denounced it. Enactment of the bill could cause New Mexico to miss out on U.S. Department of Justice formula grants because the federal government may view the state as a sanctuary state and flouting immigration laws, according to a fiscal impact report released by the Legislative Finance Committee.

## **Legal News**

#### **How to force the Trump administration to follow the law on refugees**

[Washington Post](#) [3/8/2019 6:00 AM, Bridgette W. Gunnels] reports that the border city of Tijuana, internment camps in U.S. border towns, ICE facilities across the country – each of these locations has become a site of the migrant and refugee crisis in the United States, one that shows no signs of abating. The current administration has issued a national emergency declaration to get to work on a border wall, but has done little to address the growing number of asylum seekers in detention centers, nor the legal and constitutional obligations of the U.S. government to this very same group. Some of those obligations emerged in another refugee crisis, one in which the U.S. detained thousands of refugees

who had been welcomed into the country by President Jimmy Carter. A legal struggle, combined with a prison riot, finally forced the government to grant Cuban detainees who were part of the Mariel boat lift, also known as Marielitos, their due process rights. By August 1980 more than 14,000 Marielitos remained in detention centers. These Marielitos languishing in prisons were still there when Carter left office, and Ronald Reagan entered with a very different posture toward them. Their fate triggered a struggle between Reagan's attorney general, Edwin Meese, and the federal district court and the 11th Circuit Court of Appeals, which handles federal appeals from Alabama, Georgia and Florida.

Nearly eight years of litigation transpired between the Mariel Boatlift and the close of *Garcia-Mir v. Meese*. For unaccompanied minors currently in detention facilities, what does eight years of detention mean psychologically or developmentally? With an 800,000-case backlog, what are the realistic time frames for each excludable alien to receive the due process rights guaranteed by our Constitution? The situation at the border is not a national emergency; it is a humanitarian crisis. There are not enough immigration lawyers or advocates to secure due process rights. In fact, it seems that there is no practical system in place presently that can manage effectively this backlog. This is where our attention should lie — not in declarations of national emergencies that fail to address humanitarian crisis and instead fund border-wall construction. To begin, we must adhere to a process that maintains dignity and upholds international immigration law, invest funds directly to hire processors and case managers to move cases forward as quickly as possible and prioritize intake of families and unaccompanied minors to allow for the recommended and acceptable amount of detention according to our own U.S. immigration policy: a mere six months.

#### **Appeals court rules immigrant may seek judicial review of expedited deportation**

[Washington Post](#) [3/7/2019 6:47 PM, Maria Sacchetti, 9763K] reports that a U.S. appeals court ruled Thursday that a Sri Lankan immigrant can appeal his fast-track deportation order to the federal courts, after immigration officials attempted to expel him without a full hearing. The American Civil Liberties Union, which filed the lawsuit, called the ruling "historic" and said it could affect thousands of immigrants apprehended at the border and subjected to "expedited removal," a streamlined deportation process that President Trump wants to expand. Justice Department spokesman Steven Stafford declined to comment and the Department of Homeland Security did not respond to questions Thursday. The ruling, by three Democratic appointees in the U.S. Court of Appeals for the 9th Circuit, centers on the case of Vijayakumar Thuraissigiam, an immigrant who crossed the southern border illegally in 2017 and asked for asylum, saying Sri Lankan government agents had abducted, beaten and nearly drowned him for backing a minority political candidate. In the ruling, Judge A. Wallace Tashima said the system offered "meager procedural protections" and should not block foreigners from seeking judicial review of their cases. The ruling overturned a lower court judge and conflicts with a 3rd Circuit ruling, setting up a likely showdown before the Supreme Court. In Thursday's ruling, the 9th Circuit panel said the expedited removal process violates immigrants' rights to habeas corpus and the Constitution's suspension clause, which allows the U.S. government to block detainees' right to appeal to the courts only during extreme periods such as an invasion or rebellion, to guard against "monarchical power." The 9th Circuit ruled the decision does not state that Thuraissigiam is entitled to asylum but said it is clear he did not receive a fair hearing.

[New York Times](#) [3/8/2019 12:49 AM, Miriam Jordan, 20737K, NY] reports the ruling applies to asylum seekers in the five states included in the court's jurisdiction - California, Arizona, Washington, Oregon and Hawaii - and, because it conflicts with an earlier ruling rejecting

such legal protections in the Third Circuit, the issue is likely to be resolved ultimately by the Supreme Court. In the meantime, legal analysts said, the western court's decision is likely to have sweeping implications for immigration deterrence efforts by enabling thousands to remain in the country while they seek the court review.

[NPR](#) [3/8/2019 5:33 AM, Matthew S. Schwartz] reports that the ruling could give thousands of asylum-seekers the right to seek review in the federal court system. Legal analysts say the decision is likely to be appealed by the Trump administration, which has changed policies on the border to try to discourage asylum-seekers. "This is a historic decision," Stephen Yale-Loehr, an immigration scholar at Cornell Law School, told The New York Times. "But the government will surely appeal this to the Supreme Court."

Additional reporting:

[The Hill](#) [3/7/2019 8:51 PM, Chris Mills Rodrigo, 3038K]

[Buzzfeed](#) [3/7/2019 6:15 PM, Hamed Aleaziz, Adolfo Flores, and Chris Geidner]

[FOX News](#) [3/7/2019 10:11 PM, Gregg Re, 9216K]

[USA Today](#) [3/7/2019 4:25 PM, Alan Gomez, 6053K, VA]

[Law360](#) [3/7/2019 8:13 PM, Kevin Penton]

[US News & World Report](#) [3/7/2019 6:10 PM, Tom Hals, 2894K]

[Los Angeles Times](#) [3/7/2019 3:20 PM, Maura Dolan, 3575K]

[NBC News](#) [3/7/2019 6:22 PM, Julia Ainsley, 4061K]

[Associated Press](#) [3/7/2019 4:27 PM, Colleen Long]

[Washington Times](#) [3/7/2019 10:05 PM, Stephen Dinan, 527K, DC]

[CBS San Francisco](#) [3/8/2019 1:08 AM, Staff, 80K, CA]

### **Domestic Violence Victim Probes AG's Role In Asylum Case**

[Law360](#) [3/7/2019 7:38 PM, Nicole Narea] An asylum seeker sued the U.S. Department of Justice Wednesday for information about former U.S. Attorney General Jeff Sessions' involvement in her precedential case, known as "Matter of A-B-," which narrowed the circumstances under which domestic violence victims and others can petition for asylum. The agency had failed to respond in a timely manner to a March Freedom of Information Act Request for documentation of Sessions' March 2018 decision to intervene in the asylum case of a Salvadoran domestic violence victim identified in court documents as "A-B-". Using his certification authority as attorney general, he referred the case to himself for review and issued a decision in June 2018 restricting individuals who are members of "particular social groups" — including domestic violence and gang violence victims and those who identify as LGBTQ — from attaining asylum. The suit asks the court to issue a preliminary injunction ordering the DOJ to produce the associated documents, claiming that A-B-'s case, which is now on appeal at the Board of Immigration Appeals, may suffer without them. A-B-, who is represented by the University of California, Hastings College of the Law's Center for Gender and Refugee Studies, had made a FOIA request for "all records that were prepared, received, transmitted, collected and/or maintained by DOJ that contain, discuss, refer to, or are related to" Sessions' decision to certify her case to himself. A FOIA officer then asked her to refile with the DOJ's Office of Information Policy, which she did in May 2018, also asking for communications between the immigration judge who presided over her case, the Executive Office for Immigration Review, the Board of Immigration Appeals, Sessions himself, his advisers, and other DOJ employees. When six months went by without more communication from the DOJ, A-B- filed an administrative appeal, which was denied on the basis that the agency had not made an adverse determination that could be appealed. She consequently filed the district court action on

Wednesday. A-B- indicated in the complaint that she intends to challenge Sessions' use of the certification authority in her case. She noted that previous attorneys general have used the authority sparingly, but that Sessions had certified six cases to himself in less than two years. Yakov Wiegmann, counsel for A-B-, said in a statement Thursday that given how unusual it is for attorneys general to invoke the certification power, it is important that the public understand Sessions' rationale for doing so, especially given its adverse effect on asylum seekers. CGRS Co-Legal Director Eunice Lee said in a statement Thursday that the DOJ should not be able to withhold information that could "shed light on one of the Trump administration's most significant attempts to curtail asylum protections."

#### **[NE] Defense attorney apologizes to ICE, Prosecutor**

[U.S. News & World Report](#) [3/7/2019 8:41 AM, Associated Press] reports a lawyer who said federal agents and prosecutors kept a man arrested in an O'Neill immigration raid from seeing his attorney now says the accusation was in incorrect result of miscommunication within his office. Lincoln attorney John Berry had moved to suppress any statements the client had made. Berry alleged in a motion that a lawyer from his firm sent to a Grand Island detention center to see the client last August was barred by an Immigration and Customs Enforcement agent from seeing the client. Berry says the agent and an assistant federal prosecutor insisted the client didn't have a right to counsel until the next day. The Lincoln Journal Star reports that Berry has withdrawn his motion to keep the client's statements from a jury, explaining that the original complaint was prepared before all the facts surrounding the incident had been shared by other members of Berry's firm. The judge said at a hearing last week that ICE and the federal prosecutor deserved a public apology. Assistant U.S. Attorney Lesley Woods said the government accepted Berry's apology.

## **Enforcement News**

#### **Trump administration asks Pentagon to house up to 5,000 migrant children**

[The Hill](#) [3/7/2019 4:26 PM, Ellen Mitchell, 3038K] reports Pentagon officials on Thursday confirmed that the Department of Health and Human Services has asked the Department of Defense for space to house up to 5,000 immigrant children through the end of the fiscal year. HHS Deputy Secretary Eric Hargan on Tuesday "requested DOD support to identify space to house up to 5,000 unaccompanied alien children on DOD installations, if needed, through September 30, 2019," Pentagon spokesman Lt. Col. Jamie Davis said in a statement. Davis added that the Pentagon "will work with the military services to identify potential locations for such support, and will work with HHS to assess any DOD facilities or suitable DOD land for potential use to provide temporary shelter for unaccompanied alien children." Should HHS determine it is necessary to use Pentagon facilities or land, the department will submit an additional request to the DOD. The move, first reported by The Washington Times, also includes a plan to transfer almost \$400 million to pay to house the children, according to the outlet. HHS is the federal agency responsible for unaccompanied children until an adult relative claims them. A spokeswoman told the outlet that it is requesting help from the Pentagon because of "the overwhelming number" of new unaccompanied children crossing the border and "nearly full" capacity at existing HHS shelters.

Reported similarly:

[Breitbart](#) [3/7/2019 7:58 AM, Staff, 2015K]

[Washington Examiner](#) [3/7/2019 3:45 PM, Anna Giaritelli, 629K, DC]



[Straits Times](#) [3/7/2019 4:52 PM, Staff]

**[MA] Boston Police Confirm Officer's Involvement In ICE Arrest. ACLU Wants More Info**

[WBUR](#) [3/7/2019 8:37 AM, Shannon Dooling, MA] reports the ACLU of Massachusetts is calling on the Boston police to provide more information about a so-called "joint task force" between the department and federal immigration officials. A U.S. Department of Labor lawsuit filed last week in Boston's federal court sparked questions about the existence of such a task force. The suit alleges Boston-based Tara Construction retaliated against an employee who is not a legal resident of the United States. Jose Martin Paz Flores was arrested by federal immigration officials in 2017 after leaving a workers' compensation meeting with his boss. Federal labor officials say Boston police Sergeant Detective Gregory Gallagher worked with federal immigration officials to arrest Flores and was present at his arrest. Boston police Sergeant Detective John Boyle, a spokesman for the force, says Gallagher is the only officer assigned as a liaison to the U.S. Department of Homeland Security (DHS) and Immigration and Customs Enforcement. According to the lawsuit, Pedro Pirez, who runs Tara Construction, allegedly initiated the law enforcement investigation of Paz in 2017 by contacting Boston police Detective Juan Seoane shortly after Paz reported his injury. In an interview, BPD spokesman Boyle confirms Seoane was contacted by Pirez. Boyle says Seoane received information from Pirez that Paz was involved in suspected criminal activity. Gallagher, Boyle said, then became involved in the matter when it was determined Paz had deportation orders.

**[PA] Fugitives From ICE, A Family Finds Sanctuary In A Pennsylvania Church**

[KACU-FM](#) [3/7/2019 4:09 PM, Laura Benshoff, TX] reports for the last six months, Clive and Oneita Thompson have been doing familiar routines in an unfamiliar place. In August, they traded their home in rural New Jersey for a pair of spare rooms at the First United Methodist Church of Germantown in Philadelphia in order to avoid deportation to Jamaica. The couple belongs to a tiny -- but growing -- group of immigrants taking refuge in churches amid the Trump administration's immigration crackdown. For the Thompsons, this move means sharing space with strangers -- whether it's cooking in the church's industrial kitchen, or showering in a public bathroom on another floor -- and being unable to follow through on some of their parenting responsibilities. Clive and Oneita can't leave the church or they risk deportation. U.S. Immigration and Customs Enforcement avoids making arrests in so-called sensitive locations, such as schools and houses of worship. All five of their kids have permission to live in the United States. The parents lost their asylum case after years of appeals. Immigration and federal judges ruled that violence they say they fled in Jamaica -- the gangs they said burned their sugarcane farm and gunned down Oneita's brother - did not qualify. The Thompsons also failed to prove they could not live safely elsewhere in Jamaica, according to court documents. In 2018, ICE officers told Clive and Oneita to buy one way tickets out of the country. The Thompsons' hope to stay lawfully and permanently in this country now rests with their adult daughter, Angel, who has applied for citizenship. If she naturalizes, she will sponsor her parents' visas -- a process that can take more than a year. [Editorial note: consult source link for audio]

**[MD] Her ancestors were enslaved in the US. Now Trump wants to deport her to Africa.**

[Washington Post](#) [3/8/2019 6:00 AM, Orion Donovan-Smith] reports that Afomu Kelley was just 11 years old when she left Liberia with her mother in the early days of a civil war in

1990. Kelley, now 40, never returned to the West African country. She grew up in Northern Virginia, where she finished high school early, and attended the University of Maryland. She has an American accent. Sometimes she doesn't feel like an immigrant. On March 31, the program that has allowed Kelley and more than 800 other Liberian immigrants to live legally in the United States for decades will end, the result of President Trump's decision to terminate a protection against deportation that has been in place for nearly 28 years. The Trump administration has justified the decision by saying that Liberia's second civil war ended in 2003. Trump has also taken aim at other temporary immigration programs, such as Deferred Action for Childhood Arrivals, which shields from deportation undocumented immigrants brought to the United States as children. House Democrats are aiming to address DED as part of a broad immigration bill they say they will introduce next week. Speaking at a House Judiciary Committee hearing Wednesday, the panel's top Republican expressed sympathy with DED and TPS holders but warned that such a comprehensive bill would not get past the GOP-controlled Senate. Kelley hopes Congress will find a way to save DED before it expires, but she, too, worries that a bill without Republican support will be held up in partisan gridlock while the program ends in less than a month.

**[FL] Hidden cameras, sex-for-cash & trash forages: How police solved a Florida sex trafficking case**

[USA Today](#) [3/8/2019 5:06 AM, Rick Jervis, VA] reports that the Bridge Day Spa, a massage parlor in a strip mall, was the site of a sex trafficking ring. Police say the men engaged in illicit sexual activity with Chinese masseuses in private massage rooms inside the spa, with two or three women reportedly exchanging sexual acts with up to 10 men a day. More than 10 people connected to the spas have been charged with offenses ranging from racketeering and money laundering to profiting from prostitution. Police say some of the female spa employees were locked inside the parlors for weeks at a time and made to engage in sexual acts with clients – some as many as 16 times a day. Through a spokesman, Kraft, 77, who police say visited an illicit massage parlor in Jupiter in January, has denied engaging in any illegal activity. His attorney said Thursday that Kraft will not attend a court arraignment set for March 28, despite a court notice requiring him to appear in person. Interviews and court documents show the investigation stretched across four Florida counties – Orange, Indian River, Martin and Palm Beach – and netted more than \$2 million in seized assets. They also reveal the complexities and challenges of investigating sex trafficking rings, where victims and suspects are often one and the same. Homeland Security Investigations provided Mandarin interpreters, money and other resources.

**[MI] ICE arrests more students at fake university, others being removed from US**

[Detroit Free Press](#) [3/8/2019 6:01 AM, Niraj Warikoo, MI] reports that federal immigration officials have arrested more students who were enrolled at a fake university in metro Detroit. Many of the students who enrolled at the university created by the Department of Homeland Security (DHS) are now in the process of being removed from the U.S. as Indian-American advocates grapple with what they say is an unprecedented number of arrests of Indian students. The U.S. Immigration and Customs Enforcement (ICE) has arrested 161 foreign students from the University of Farmington on civil immigration violations, ICE spokesman Khaalid Walls said this week. "Several have since been removed and others are currently in various stages of the removal process," Walls said. More could be arrested or removed in the future as "enforcement action against current and former students of the University of Farmington remains ongoing," Walls said. About 600 students, mostly from India, were enrolled at the university in Farmington Hills, a majority of them in master's

degree programs in engineering or computer-related fields. The roughly 440 remaining students who haven't been arrested are anxious about their future status, with some of them already opting to leave, said immigration attorneys. Indian government officials have previously said they're trying to help the students who were detained. Rahul Reddy, an immigration attorney in Houston who is representing some of the students, estimates that about 90 percent of the students will eventually be removed to India. Walls, the ICE spokesman, said the students "who have not been issued a Notice to Appear charging immigration violations are currently not in removal proceedings requiring their appearance before an Immigration Court."

**[TX] Central American migrant border influx grows as detentions top 1,000 in El Paso in one day**

[El Paso Times](#) [3/7/2019 7:19 PM, Daniel Borunda, 15K, TX] reports the influx of Central American migrants topped more than 1,000 detentions Wednesday in El Paso, straining U.S. Border Patrol resources, officials warned. More than 1,000 men, women and children were detained by the end of Wednesday in El Paso after crossing the border onto U.S. soil to surrender to agents along the border fence, said Border Patrol Agent Jose Romero, an agency spokesman. "The challenge is that the numbers are not a record, but back then we were dealing mostly with adult Mexican males, which means we could arrest, process and remove them to their country of origin in hours," Romero said. The number of detentions Wednesday is more than double the daily average and includes only El Paso and not the entire Border Patrol's El Paso Sector, which covers all of New Mexico and part of West Texas, Romero added. The Border Patrol is "utilizing different tools, including the wall, to maintain control," Romero explained. "First and foremost, border security is our primary mission." The agency has repeatedly warned that the migrants who are surrendering en masse are being used as a diversion to mask criminal activities. A network of temporary immigrant shelters in El Paso-Las Cruces is filling up as migrants are released from U.S. Immigration and Customs Enforcement custody.

Additional reporting:

[Breitbart](#) [3/7/2019 12:37 PM, Bob Price, 2015K]

[KTSM](#) [3/7/2019 1:33 PM, Sandra Ramirez, TX]

**[TX] Mexican journalist seeking US asylum again ordered deported**

[Bloomberg](#) [3/7/2019 2:15 PM, Nomaan Merchant] reports a Mexican journalist has again been ordered deported from the United States despite his fear that his past stories about corruption make him a target in one of the world's most dangerous countries for reporters. The attorney for Emilio Gutierrez Soto and his son, Oscar, said Thursday that he would appeal an immigration judge's decision denying them asylum. Judge Robert Hough's Feb. 28 order says Emilio Gutierrez Soto's testimony was not credible and that he had not shown that he would be singled out for his reporting on the Mexican military were he to return now. Eight journalists were killed in Mexico last year in connection with their reporting work, according to Reporters Without Borders, more than any other country besides Afghanistan. The asylum request made by Gutierrez and his son was first denied in July 2017, and they were taken into detention that December during a check-in with immigration authorities. The two were released in July, two months after an immigration appeals court ordered a new asylum hearing. Their attorney, Eduardo Beckett, said Thursday that the two were not under immediate threat of deportation after the order, but are under a "dark cloud which causes much anxiety and stress not knowing the final result."

Reported similarly:

[Michigan Live](#) [3/7/2019 2:00 PM, Martin Slagter, 480K, MI]

[El Paso Times](#) [3/7/2019 12:23 PM, Nomaan Merchant, 15K, TX]

**[TX] 'A New Horror': Sikh Men Go on Hunger Strike in ICE Custody**

[The Nation](#) [3/7/2019 8:00 AM, Margaret Brown Vega and Nathan Craig] reports since January, we've been visiting the nine Sikh men in the El Paso Service Processing Center who have been on hunger strike, some for over 70 days. As volunteers with Advocate Visitors with Immigrants in Detention (AVID), an immigrant-support group, we've watched their rapid decline as they protest the unfair treatment of immigration judges, abusive behavior of facility staff, and prolonged detention. Every week, we learn of a new horror as they recount their experiences. What we witnessed this past Sunday now causes us to question whether these asylum seekers will survive another day in ICE detention. Mr. Singh was the weakest we have seen him. We believe he's already been the victim of retaliatory measures for hunger striking, and we're using a pseudonym here to protect him from further attacks. He is now in the 10th week of starving himself. In mid-January, under a court order he was never shown, ICE started force-feeding Singh through a tube inserted in his nose. That tube was removed in mid-February. He is now teetering on the border between life and death; and yet one of us saw firsthand the facility staff's negligent indifference toward him. If ICE doesn't release this man and the others who have been on hunger strike, we fear there will be yet another avoidable death of a migrant held in ICE custody. For the sake of their health, these men must be immediately released to their support networks in the United States.

These problems are not unique to El Paso. Reports are surfacing across the United States of the mistreatment and deaths of migrants and asylum seekers in ICE detention facilities. The Department of Homeland Security Office of Inspector General recently authored three scathing reports regarding ICE detention. In the past two years, there have been at least 22 deaths in US immigration-detention facilities. ICE is not equipped to provide humane medical services to people, who are simply awaiting their immigration hearings in accordance to US immigration law. While they wait for their due process, Singh, his fellow hunger strikers, and migrants and asylum seekers across the United States are being exposed to "conduct akin to torture"—to use the language of the US Commission on Civil Rights 2015 report on ICE detention.

[KQED](#) [3/7/2019 10:34 PM, Tyche Hendricks, 160K, CA] reports Leticia Zamarripa, a spokeswoman for ICE in El Paso, confirmed that two Indians remained on hunger strike in El Paso, as well as seven other people in ICE custody around the country -- including two in San Diego, three in Atlanta, one in Miami and one in Seattle -- as of March 4. ICE stopped force feeding the men in the face of a legal challenge.

**[CO] Deportation Looms, and a Father Prepares to Say Goodbye**

[New York Times](#) [3/8/2019 5:02 AM, Julie Turkewitz] reports that just hours stood between Jorge Zaldivar and his meeting with immigration officials, and so once again his family gathered to say goodbye. Nearly a million people in the United States have received deportation orders but have managed to stay in the country anyway, often hanging on through postponements granted to them at check-ins with immigration officials. For years, those appointments were largely routine, and most people went in expecting to receive

another temporary reprieve. That changed when the Trump administration said it would expand deportation priorities to include anyone who had crossed the border illegally. And in the last two years, in households across the country, the dinner before a check-in has turned into a grim ritual, with families never sure whether or not this meal is the last they share together. The Zaldivar children — Francysco, 8, Aanahny, 10, Dyego, 14, Yolanda, 20, and Josefyna, 23 — all United States citizens, have lived in a cycle of check-ins and court dates for most of their lives. Their father crossed into the country illegally in 1997 and has been trying to gain legal residency through his wife, Christina, also a citizen, for more than a decade. That has failed, and the Zaldivars said goodbye to their father on June 7, 2017, on July 5, 2017, and on Jan. 10, 2018, and then four more times last year.

**[CO] Tri-County advises staff vaccinations, surveillance after mumps outbreak at ICE facility**

[Aurora Sentinel](#) [3/7/2019 6:15 PM, Kara Mason, CO] reports that more than 350 Immigration and Customs Enforcement agency detainees are still being isolated after a handful of mumps cases were reported at the privately-owned detention center in Aurora. The Tri-County Health Department has proposed vaccinations for staff and detainees and proper reporting, among other recommendations, for the facility, owned and operated by GEO Group Inc. GEO facility officials told media during a tour Monday staff vaccinations took place the previous Friday. 357 detainees are currently being isolated for potentially being exposed to either mumps or chickenpox, according to GEO. Six pods, out of the center's 13, are in quarantine currently and are likely to stay that way until near the end of the month. ICE officials said the increased number of cases of mumps and chicken pox is because of an influx of detainees from the southern border — an annex of the facility was opened in January for the increase of detainees coming from the border. "Each detainee receives a medical examination upon arrival at the facility to check for potential signs of illness, however ICE has no way of knowing what viruses a person may have been exposed to prior to entering the facility," ICE spokeswoman Alethea Smock in a statement Feb. 20. "ICE and the medical professionals employed by GEO took the necessary steps to quickly isolate the exposed detainees, provide proper medical care and prevent further spread of the disease."

**[AZ] ICE released 84,500 migrant family members since Dec. 21, including 14,500 in Arizona**

[Arizona Republic](#) [3/7/2019 9:05 PM, Daniel González, 695K, AZ] reports that in October, as the number of migrant families arriving at the southern border from poverty- and violence-stricken countries in Central America began to soar, federal immigration authorities began releasing large groups at local churches, shelters and even bus stations in communities across several border states, including Arizona. On Thursday, for the first time, U.S. Immigration and Customs Enforcement released data that shows the magnitude of the unfolding humanitarian crisis on Phoenix, Tucson, El Paso and other border state communities. Since Dec. 21, according to the data, ICE has released 84,500 migrant family members. Of that, 14,500 have been released in the Phoenix area, 37,500 have been released in communities in south Texas, 24,000 in El Paso and 8,500 in San Diego, the data shows. ICE did not begin tracking the number of migrant families being released until December, when it became apparent that the spike in families arriving at the southern border was not going to slow down. Border-wide, migrant-family apprehensions through February of the current budget year totaled 136,150, which is up 300 percent compared with the same period the previous year and exceeds the total number of migrant-family



apprehensions all of the previous year, according to Border Patrol statistics. In the past, migrant families typically were transferred to family detention centers in Texas, where they were typically released within 20 days due to a court ruling that prohibits the government from holding children in detention centers for long periods of time.

#### **[AZ] Arizona monastery, motel turned into migrant shelters**

[Yahoo! News](#) [3/7/2019 7:12 AM, Nicole Neri] reports a motel and a monastery are among pop-up shelters that have opened in the last six months in Arizona to house a rising number of migrants from Central America entering the United States to seek asylum. In January, Catholic Community Services turned to the American Red Cross for cots and blankets to equip the former Benedictine monastery in Tucson, Arizona, as a shelter, said CCS Director of Operations Teresa Cavendish. The monastery has housed more than 1,000 people since it was opened, Cavendish said. U.S. Border Patrol officials told reporters on Tuesday that there has been a dramatic shift in how migration is happening along the U.S.-Mexico border, with large numbers of families and unaccompanied children from the northern triangle countries of Guatemala, Honduras and El Salvador replacing mostly single adult men from Mexico who typically crossed the border illegally in the past. Apprehensions and people deemed inadmissible at ports of entry along the southwest border reached a record high of more than 76,000 in February, and the majority of those caught were families, according to U.S. Customs and Border Protection statistics. In recent years, applications for asylum have ballooned as more Central Americans fleeing violence back home turn themselves into authorities to seek protection, according to CBP data. The shelters in Arizona are way stations for migrants released by border agents that need a place to stay while they figure out where they can settle in the United States and pursue claims in immigration court. Facing an influx of families and legal limits on the time minors can be held, U.S. Immigration and Customs Enforcement began to release large groups to Arizona charities and churches in October, ICE spokeswoman Yasmeen O'Keefe said.

Additional reporting:

[KFOX 14](#) [3/7/2019 1:23 PM, Jamel Valencia, 16K, TX]

[Arizona Republic](#) [3/7/2019 8:19 AM, Rafael Carranza, 695K, AZ]

[KVIA](#) [3/7/2019 11:05 AM, Associated Press, 19K, CA]

#### **[CA] Health and Safety Concerns Overlooked at Immigrant Detention Facility, Audit Says**

[NBC San Diego](#) [3/7/2019 11:02 PM, Lolita Lopez, CA] reports that the California state auditor looking into conditions at certain immigration detention centers housing undocumented people found that health and safety concerns are being overlooked and more oversight is needed. The state audit looked at counties and cities that have contracts with the Immigration and Customs Enforcement (ICE) to house detainees. According to a new report obtained by the NBC4 I-Team and released on February 26, the city of Adelanto was not aware of the inspection reports, nor did they review complaints or check to see if standards set by immigration and customs enforcement, including proper medical care, are being met. The state audit covered five years and says cities like Adelanto did not provide meaningful oversight. The city contracts with a private company, Geo Group, to manage the facility, including safety. Geo Group denies any allegations of inadequate care. ICE says the city of Adelanto continues to have a multi-year agreement to house detainees, adding centers are subject to stringent and regular inspections. An ICE spokesperson says: "U.S. Immigration and Customs Enforcement is committed to providing for the welfare of all those

entrusted to its custody and to ensuring all detainees are treated in a humane and professional manner. Accordingly, all facilities that house ICE detainees must meet rigorous performance standards, which specify detailed requirements for virtually every facet of the detention environment. The safety, rights and health of detainees in ICE's care are of paramount concern and all ICE detention facilities are subject to stringent, regular inspections." [Editorial note: consult source link for video]

**{End of Report}**



# EOIR MORNING BRIEFING

U.S. Department of Justice  
Executive Office for Immigration Review  
By TechMIS

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**Monday, Mar. 11, 2019**

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## Executive Office for Immigration Review

### Administration's Failure to Hire More Employees to Support Immigration System Meets Bipartisan Criticism

[Government Executive](#) [3/8/2019 12:00 PM, Eric Katz] reports that lawmakers on Thursday voiced concerns over the Trump administration's inability to hire new employees to bolster

the nation's immigration system, highlighting a long list critical functions that are feeling the strain of insufficient personnel. At two separate hearings, members of both political parties faulted the administration for wasteful spending and failure to make progress on boosting staff that Congress has specifically authorized.

At the Appropriations hearing, James McHenry, director of the Executive Office of [for] Immigration Review, touted the progress his agency has made in staffing up. He noted that EOIR has hired more immigration judges since Trump took office than it had in the seven previous fiscal years combined. Just prior to the hearing, however, McHenry notified staff the office would cancel planned hiring, training and technological updates due to cost overruns. Rep. Jose Serrano, D-N.Y., who chairs the panel at which McHenry testified, criticized the director for delivering a "glowing" statement to the committee while simultaneously announcing a gloomy message to his staff. McHenry attributed the decision primarily to increased costs for interpreters at immigration hearings, noting the agency's increased efficiency has led to more cases and higher costs. "Our challenges are driven by our successes," McHenry said. EOIR is authorized to employ 534 judge teams, and expects to have 450 on board within the next few months. At that point the agency will only have 460 courtrooms at its 43 courts across the country, meaning it will have to acquire more space before resuming its hiring.

At a House Appropriations Committee hearing, a Justice Department official confirmed that the agency is no longer prioritizing the onboarding of new immigration judges and support staff due to funding shortfalls. The announcement came just weeks after President Trump signed a spending bill with appropriations for additional judges, but the department said unforeseen costs will make that—and previously funded hiring—impossible. The hiring was a bipartisan priority to help address the backlog of cases in Justice's immigration courts, which now stands at 850,000.

At a House Homeland Security Committee hearing, lawmakers implored Customs and Border Protection to make progress in filling vacant positions at the Border Patrol and in its Office of Field Operations. The staffing shortfalls have persisted for years, even despite President Trump's mandate that Border Patrol hire 5,000 new agents. CBP officials stressed that they are making progress, emphasizing that in fiscal 2018 the agency hired more employees than it lost to attrition for the first time in six years. While the officials cited CBP's improved time-to-hire, tweaks to the polygraph test it administers to all applicants, and the use of relocation incentives and rotational programs to fill vacancies in understaffed areas, they conceded the agency remains thousands of agents and officers short of its authorized levels. Lawmakers particularly pressed CBP on its contract with Accenture Federal Services, which the agency was forced to scale back through a partial stop work order due to its failure to bring on new staff in significant numbers. The contractor as of December had helped CBP hire just 36 employees, despite signing a contract in 2017 worth up to \$300 million to bring on 7,500 workers. Government Executive first reported on the low hiring totals in November, and the partial stop work order in December. John Goodman, Accenture Federal Services' chief executive, still portrayed the contract as successful during testimony on Thursday, noting it helped develop a hiring platform and a marketing campaign CBP will continue to use. Lawmakers, however, made clear they did not find those accomplishments sufficient. "You're in a bit of a hot seat today, aren't you?" asked Rep. Clay Higgins, R-La. Rep. Dina Titus, D-Nev., trivialized Goodman's characterization of Accenture's successes as "bureaucratic jargon" and noted CBP has already spent \$19 million for start up costs associated with the contract. The agency has obligated \$43 million



to Accenture. "What could you have possibly built for \$19 million that is working so well that we couldn't hire anybody?" Titus asked, adding she would request that Goodman return to the committee in six months to see if any progress had been made. Goodman remained defiant, blaming the media and the Homeland Security Department's inspector general for painting "an inaccurate and incomplete picture of [Accenture's] performance under the contract." He said CBP will continue to reap the benefits of the structure Accenture has put in place and called the terms of the contract—which mostly only allocated funds after an employee was offered a job and onboarded—"very favorable to both the agency and taxpayer." Asked after the hearing why CBP pared down the parameters of the contract given the successes he touted, Goodman said he respected "CBP's decision to press the [pause] button and determine how the program can move forward most effectively."

CBP remains 7,000 employees short of its staffing targets, according to Rebecca Gambler, director of the Government Accountability Office's homeland security and justice team. She noted that CBP saw a net loss of more workers in the first half of fiscal 2018 than in fiscal 2017. Rep. Dan Crenshaw, R-Texas, said he supported increased border fencing and technological tools on the U.S.-Mexico border, but ultimately only increased staffing would enable CBP to meet its mission.

### **Congressman helps secure 50 immigration judges amid DOJ hiring freeze**

[The Monitor](#) [3/9/2019 12:13 PM, Staff, TX] reports U.S. Rep. Henry Cuellar, D-Laredo, said he helped secure 50 new immigration judges in an effort to increase the efficiency of immigration courts at the U.S.-Mexico border, according to a news release. Cuellar, a member of the Conference Committee on Homeland Security Appropriations, made the announcement Thursday that he helped secure 50 new immigration judge teams in the fiscal year 2019 appropriations package. The appropriations were allocated for judges, support staff, technology and work space, in addition to "border security measures and language that increases immigration court efficiency," the release states in part. The congressman, according to the release, has been a longtime champion for increasing immigration court efficiency at the border. "In the FY18 appropriations bill, Cuellar helped secure 100 judge teams, totaling 484 immigration judge teams," the release stated. "With the addition of 50 judge teams in FY19, the Executive Office for Immigration Review will have a total of 534 immigration judge teams to address the current backlog of more than 850,000 immigration cases. The goal is to field 750 judges nationwide, including supervisors."

Cuellar in the last three years has made it a priority to place additional immigration judges into border communities, including 55 new immigration judge teams in fiscal year 2016; at least 10 judges in FY2017; and at least 100 judges in FY2018, the release stated. "Increasing the number of judges to process immigration cases is a common sense solution that should appeal to everyone, no matter how you feel about immigration policy," Cuellar said in the release. "With a backlog of hundreds of thousands pending active cases, our immigration courts are in dire need of additional judges to expeditiously adjudicate these cases. For this reason, I requested additional judges at the border, so that we can expedite these processes and ensure the fair and humane treatment of migrants." The backlog of nearly 900,000 immigration cases has been exacerbated due to the lack of judges working along the U.S.-Mexico border. "Due in part to the lack of available judges, immigrants at the border are either detained for long periods of time or released into the United States with a promise to return at a later court date. Neither of those is a good option for immigrants or the enforcement of our laws. Having more judges at the border will help treat immigrants

more fairly," Cuellar said. The timing of the approval for more judges comes as multiple publications have reported that the Department of Justice is placing a hiring freeze of any new immigration judges due to budgetary constraints. According to one such report from The Hill, a Justice Department official confirmed that the agency is no longer prioritizing the addition of new immigration judges and support staff due to funding shortfalls. The revelation also comes just weeks after President Trump signed a spending bill with money for the additional immigration judges, but the department said unexpected costs will make that — and previously funded hiring — "impossible."

Reported similarly: [Texas Border Business](#) [3/8/2019 1:19 PM, Staff, TX]

### **Immigration Courts Held 29,000 Video Hearings**

[WNYC-FM](#) [3/8/2019 7:32 AM, Staff, NY] reports the head of the nation's immigration court system is defending the use of video hearings despite a lawsuit brought against them in New York. Some detained immigrants argue that conducting hearings by video deprives them of their right to due process because they can't see the judge in person. At a Congressional Oversight Hearing in Washington, James McHenry, the Director of the Executive Office for Immigration Review, downplayed any problems with video conferencing, which he called VTC. "During the first quarter of this fiscal year we held about 29,000 VTC hearings – only 151 had to be adjourned due to some sort of video malfunction." McHenry did acknowledge another problem though. He said about 60,000 immigration court hearings were cancelled due to the recent government shutdown, only adding to the court's tremendous backlog.

### **Joe Giudice won't be going home from prison as expected next week**

[Page Six](#) [3/8/2019 3:51 PM, Chelsea Hirsch, 3265K, NY] reports Joe Giudice's future in the United States remains unclear, but his future behind bars is certain for now. Giudice, 46, had been set to be released on March 14, but now the Federal Bureau of Prisons lists his release date as "unknown" as he awaits the decision on his deportation appeal. Teresa Giudice's husband is serving a 41-month prison sentence for fraud and had been set to be deported to his native Italy afterward. Now his case is in limbo, as the Executive Office for Immigration Review recently confirmed to Page Six that the case was still under review. "The custodial aspect of Mr. Giudice's federal sentence does in fact expire on or about March 14, 2019," Teresa Giudice's attorney James J. Leonard Jr. told us Friday. "However, due to the immigration order and detainer lodged against him, that is not a release date, meaning he is not coming home on that date. We are optimistic that once his appeal is heard, he will receive the appropriate relief and will be able to come home and remain there with his family." The appeal process could take up to a year to complete and unless he is released by the court, he will remain detained, an insider told us about the situation. The insider noted that Giudice will likely be transferred to an immigration hold facility in the coming weeks.

Reported similarly:

[Inquisitr](#) [3/8/2019 6:07 PM, Amy Feinstein, 320K]

[US Weekly](#) [3/9/2019 3:55 PM, Erin Crabtree, 687K]

[Wonderwall](#) [3/8/2019 1:36 PM, Mark Gray, 17K]

[CBS 8](#) [3/8/2019 9:39 PM, Jennifer Drysdale, 55K, CA]

## Policy and Legislative News

### Trump expected to ask for \$8.6B for wall in budget

[The Hill](#) [3/10/2019 8:24 AM, Brett Samuels, 3038K] reports that President Trump intends to request \$8.6 billion for his long-promised wall along the border with Mexico when he submits his 2020 congressional budget on Monday. Reuters reported that the president will submit his request to Congress based on a 2017 plan crafted by Customs and Border Protection that called for 722 miles of barriers to be built or replaced along the U.S.-Mexico border. The funding for the wall would pull \$5 billion from the Department of Homeland Security budget, plus \$3.6 billion for the military construction budget at the Pentagon, according to the news service. The budget proposal would include a separate \$3.6 million in military construction to help fund projects affected by the wall. In addition to wall funding, Trump's proposal calls for the hiring of an additional 2,800 law enforcement and other personnel to reinforce the border, and 100 immigration judge teams, Reuters reported. The White House did not immediately respond to a request for comment. Congress must approve funding for fiscal year 2020 by Oct. 1, or funding could lapse and the government could shut down.

Reported similarly:

[Washington Post](#) [3/10/2019 10:56 AM, Damian Paletta and Erica Werner]

[New York Times](#) [3/10/2019 10:56 AM, Peter Baker and Jim Tankersley]

[Wall Street Journal](#) [3/10/2019 3:45 PM, Kate Davidson, et al.]

[Reuters](#) [3/10/2019 6:16 AM, Roberta Rampton, 49830K]

[ABC News](#) [3/10/2019 5:09 PM, Meridith McGraw, 2413K]

[CNN](#) [3/11/2019 1:00 AM, Stephen Collinson, 5847K]

[Yahoo! News](#) [3/10/2019 3:43 PM, Julie Allen, 216426K]

### Senate Reviewing Options for Trump's Emergency Declaration

[National Journal](#) [3/10/2019 10:56 PM, Zach C. Cohen and Daniel Newhauser, 13K] reports that the Senate is poised to force President Trump's first veto. Democrats and at least four Republicans are set to support a privileged House resolution rejecting Trump's emergency declaration. Senate Republicans are debating amendments to it that would make it more palatable to conservatives who want to support the construction of physical barriers while placating constitutional, fiscal, and practical concerns with the declaration's implementation. "There's an overwhelming sense in our conference that the president needs to be able to build a barrier," said Sen. James Lankford, an Oklahoma Republican who sits on committees governing appropriations and homeland security. The Senate Judiciary Committee will also consider the nominations of Daniel Collins and Kenneth Lee nominations to be 9th Circuit judges on Wednesday, and soon afterward will hold an oversight hearing of the Patent and Trademark Office. Throughout the week, other committees will examine the presidential budget. The House will also focus its floor calendar on oversight of the White House. The most newsworthy hearing will likely occur Thursday, when Acting Defense Secretary Patrick Shanahan, Chairman of the Joint Chiefs Joseph Dunford, and Pentagon Comptroller Elaine McCusker testify to the full committee on the Defense Department budget request for 2020. In his emergency declaration, Trump vowed to pull \$3.6 billion from the Pentagon's military-construction account to pay for the wall, but Shanahan has still not detailed to Congress which construction projects would be affected. The plan to reprogram the construction money was met with bipartisan backlash,

and the military is now reportedly interested in diverting unused military retirement and pension funds for the wall.

### **It's a crisis, but border declaration doesn't address it**

[Tuscon.com](#) [3/10/2019 5:25 PM, Tim Steller, AZ] reports President Trump had declared a national emergency at the border and was met with a mix of praise and eye-rolling criticism at the idea there is a national emergency at the border. But after last week's numbers, he seemed to have a more solid leg to stand on. "This is not a manufactured crisis," Department of Homeland Security Secretary Kirstjen Nielsen said in congressional testimony last week. "This is truly an emergency." The truth is, there is a crisis, as Nielsen said. But it's not the same crisis Trump declared an emergency over and promised to address by building border barriers. It's a migration crisis, among many in the world, as people move away from poverty and danger, and toward safety and opportunity. Last month, there were 76,103 apprehensions by U.S. Customs and Border Protection officers at the Mexican line. From 2000 through 2018, the Pima County Medical Examiner's Office has received the remains of 2,943 border-crossers, Dr. Greg Hess said, mostly people who have died from exposure to the heat. Last month, Nielsen and security ministers from El Salvador, Honduras and Guatemala signed a compact aimed at fighting human trafficking and organized crime.

DHS also is ramping up its "migrant protection protocols," a controversial effort to make some asylum-seekers from Central America wait in Mexico before they are admitted to make a claim. As part of the recent deal under which Congress funded \$1.4 billion in border barriers, immigration courts also received \$126 million more to add 75 additional immigration judges and raise the total number funded to 524. That would be helpful, as it can take three years before an asylum case is adjudicated. If people's claims were actually considered in six months to a year, that would serve as a deterrent. But the most recent numbers show that there are only 414 judges, and BuzzFeed News reported last week that the Executive Office for Immigration Review sent an email to staff informing them the hiring of judges would have to be paused, even as the number of pending cases soars well past 800,000.

### **It's a crisis at the Border, but a Wall Won't Help**

[Wall Street Journal](#) [3/10/2019 3:17 PM, David Inserra] reports that statistics out last week would seem to suggest there is a crisis on America's southern border. According to U.S. Customs and Border Protection, more than 66,000 aliens were apprehended as they tried to sneak across the border last month, the highest February total since 2008 and the highest total in any month since 2009. Add in those deemed inadmissible at ports of entry, the total is more than 76,000. Loopholes in U.S. immigration law, combined with a weak asylum process, are creating incentives for adults to use children as pawns to get into the U.S. Unlike the last time apprehension numbers were this high, families and children are driving the influx. According to Customs and Border Protection, more than 40,000 "family units" were apprehended or turned back in February—a tenfold increase from two years earlier. The figure for unaccompanied alien children was 7,250, compared with fewer than 2,200 in February 2017.

The first key loophole is the well-intentioned Trafficking Victim Protection Reauthorization Act of 2008, which requires the Border Patrol to treat unaccompanied alien children from countries other than Mexico differently—to turn them over to the Department of Health and

Human Services and let them enter the U.S. pending an immigration-court hearing that may be years in the future. Many alien children are reunited with their families, who are often in the country illegally as well, and never heard from again. The second loophole is a 2016 court case that interpreted the 1997 Flores settlement to require the Department of Homeland Security to release all children, including those accompanied by parents, from custody. The result is that when a family unit is arrested crossing the southern border, officials have two choices: Detain the parents while adjudicating their claims and process them for deportation while releasing the child or release the entire family and hope that they show up at an immigration court hearing. The 2016 court case precludes the option of detaining the family together, resulting in catch and release. The weak asylum process compounds the problem by ensuring that aliens who enter illegally aren't promptly removed but instead are entitled to have their asylum claims adjudicated first. The result has been a spike in asylum claims based on "credible fear" of persecution, from 5,000 in 2008 to 92,000 in 2016.

### **Judge extends authority to more families separated at border**

[Washington Post](#) [3/9/2019 2:15 AM, Elliot Spagat] reports a federal judge who ordered that more than 2,700 children be reunited with their parents on Friday expanded his authority to potentially thousands more children who were separated at the border earlier during the Trump administration. Dana Sabraw ruled that his authority applies to parents who were separated at the border on or after July 1, 2017. Previously, his orders applied only to parents whose children were in government custody on June 26, 2018, when he issued his initial decision in the case. Sabraw was responding to a report in January by the U.S. Health and Human Services Department's internal watchdog that said thousands more children may have been separated since the summer of 2017, which he noted has not been disputed. Justice Department attorney Scott Stewart told the judge last month it would be a "significant burden" to add families and "blow the case into some other galaxy" after the administration had "done all things to correct the wrong." The American Civil Liberties Union, which sued over the practice of splitting families, welcomed the decision. "The court made clear that potentially thousands of children's lives are at stake and that the Trump administration cannot simply ignore the devastation it has caused," ACLU attorney Lee Gelernt said. The ACLU wouldn't want U.S. Immigration and Customs Enforcement officers to go to the children's homes, Gelernt said. It would prefer that the government tell them where to find the children.

Additional reporting:

[Washington Post](#) [3/8/2019 10:11 PM, Maria Sacchetti, 9763K]

[New York Times](#) [3/9/2019 4:45 PM, Miriam Jordan and Caitlin Dickerson, 20737K]

[Huffington Post](#) [3/8/2019 9:19 PM, Angelina Chapin, 6834K]

[CNN](#) [3/8/2019 11:51 PM, Priscilla Alvarez and Catherine E. Shoichet]

[NPR](#) [3/9/2019 5:58 PM, Staff, 4491K]

[Washington Times](#) [3/8/2019 4:33 PM, Stephen Dinan, 527K, DC]

### **They say the US deported them without their kids. Now they've come back to find them**

[CNN](#) [3/8/2019 10:17 PM, Catherine E. Shoichet and Natasha Chen] reports at a desert border crossing, more than two dozen parents lined up to seek asylum, determined to reunite with their kids after being deported without them. "People were just getting really desperate because it had been eight or nine months since they'd seen their children. A lot



of them didn't want to wait anymore," said Erika Pinheiro, a lawyer who accompanied the parents as they arrived last Saturday at the Calexico Port of Entry. Just a few days later and thousands of miles away, Homeland Security Secretary Kirstjen Nielsen sat in a Washington meeting room and painted a dramatically different picture. "There was no parent who has been deported, to my knowledge, without multiple opportunities to take their children with them," Nielsen said on Wednesday. A court ordered a months-long effort to track down deported parents in response to a federal lawsuit by the ACLU. US officials admitted this week to deporting more than 470 parents without their kids. They have maintained that only happened after parents consented. Advocates have argued parents were misled and coerced into signing paperwork they didn't understand. They've asked the government to bring back 52 deported parents to the United States. Al Otro Lado and other groups, including Families Belong Together and Together Rising, raised money, booked travel and supported the families as they pushed for another option. The group that arrived over the weekend included 26 parents who were deported without their children and are trying to reunite with them, Pinheiro said. A US Customs and Border Protection spokesperson said 53 Central Americans had arrived at the pedestrian port of entry Saturday morning. Advocates say the separated children are 6 to 18 and scattered across the United States. Some remain in government custody, some have been released to other family members, and some are in foster care. It's not clear what will happen next with their parents' asylum cases. Most parents in this group remain detained almost a week after they arrived at the border, Al Otro Lado said. Pinheiro said authorities have told her the parents must pass credible fear interviews before they'll consider releasing them.

**Record Immigration Surge at U.S.-Mexico Border to Accelerate, Government Projects**  
[Wall Street Journal](#) [3/10/2019 4:01 PM, Alicia A. Caldwell] reports the Trump administration is preparing for nearly 180,000 migrants traveling as families to cross the southern border of the U.S. by May, continuing an already record-breaking year. According to an internal document reviewed by The Wall Street Journal, officials at U.S. Customs and Border Protection anticipate between 51,000 and 58,000 migrants traveling as families will either cross the border illegally or ask for asylum at a legal border crossing this month. The agency projects that figure will reach as many as 70,000 in May, based on historic trends. Arrests of families crossing the U.S.-Mexico border illegally in the past five months hit a record of 136,150. The tally eclipsed a record of 107,212 families arrested during the entire 2018 fiscal year. Separately, 21,968 immigrant families asked for asylum at legal border crossings between October and February. The volume of families at those crossings was about the same a year ago. The flood of families crossing the U.S. border with Mexico represents a "border security and humanitarian crisis" and has left Customs and Border Protection at "the breaking point," Customs and Border Protection Commissioner Kevin McAleenan said last week. Customs and Border Protection declined to comment on the document, which is labeled "planning profile."

### **Congressman Deployed with National Guard to Southern Border: Hell Yes, There's a Crisis**

[Town Hall](#) [3/8/2019 10:25 AM, Guy Benson, 287K] reports that Adam Kinzinger is a young, conservative Congressman from Illinois, whose national guard duties recently brought him to the Southern border. Kinzinger appeared on CNN and opined that based on his experience, he absolutely agrees that the situation on the US/Mexico border is a crisis in urgent need of addressing. The number of migrant families crossing the southwest border has once again broken records, with unauthorized entries nearly double what they were a

year ago, suggesting that the Trump administration's aggressive policies have not discouraged new migration to the United States. More than 76,000 migrants crossed the border without authorization in February, an 11-year high and a strong sign that stepped-up prosecutions, new controls on asylum and harsher detention policies have not reversed what remains a powerful lure for thousands of families fleeing violence and poverty. "The system is well beyond capacity, and remains at the breaking point," Kevin K. McAleenan, commissioner of Customs and Border Protection, told reporters in announcing the new data on Tuesday. More than 50,000 adults are currently in Immigration and Customs Enforcement custody, the highest number ever. Arrests along the southern border have increased 97 percent since last year, the Border Patrol said, with a 434 percent increase in the El Paso sector, which covers the state of New Mexico and the two westernmost counties of Texas.

### **Nearly 7,000 immigrants encountered at border in 2018 had criminal records**

[Washington Examiner](#) [3/8/2019 9:47 AM, Anna Giaritelli, DC] reports Border Patrol agents encountered nearly 7,000 people at the border in 2018 who were previously convicted on criminal offenses in the U.S. or abroad, according to newly released government data. Exactly 6,698 people of the 683,178 people who Border Patrol made contact with from Oct. 1, 2017, through Sept. 30, 2018, were flagged in federal background check systems for having been convicted of a serious crime. Approximately 1 percent of all apprehended last year, which includes those who were turned away at ports of entry, were known criminals. In 2017, more than 8,500 of the 526,000 people encountered were known convicted criminals, data shows. That figure was down from 12,800 arrests of known criminal in 2016. Approximately 690,000 immigrants tried to illegally cross or were turned back at ports of entry that year. Last year saw a surge in Central American families arriving at the southern border and fewer Mexican adults compared to historical trends.

### **Leaked Email Reveals How Federal Agents Used Confidential Sources and Informants to Gather Information about Migrant Caravan**

[NBC San Diego](#) [3/9/2019 1:04 PM, Mari Payton, Paul Krueger, and Tom Jones, 98K, CA] reports an internal email shows the head of San Diego's Homeland Security office ordered his agents to increase their intelligence-gathering efforts on the migrant caravan. The email, obtained by NBC 7 Investigates through a Homeland Security source, is dated December 1, 2018, from Special Agent In Charge David Shaw. The email provides new details about a secret database used to gather information on 59 individuals from the United States and other countries, as well as details on how Homeland Security relied on confidential informants to gather intelligence on "any criminal or cartel-related actions concerning migrants or the caravan." A Homeland Security source told NBC 7 Investigates agents were advised to be on the lookout for evidence of cartels using the caravan for human and drug smuggling. A spokesperson for ICE Homeland Security Investigations said the agency does not comment leaked internal documents. For context, the agency said, "As the largest investigative component within the Department of Homeland Security, the gathering of intelligence on any kind of potential cross-border/transnational crime is a critical part of HSI's mission. However, that does not mean that each intel item or lead will turn into an investigation, arrest or criminal prosecution." On Thursday, a CBP spokesperson defended the surveillance program as a "standard law enforcement practice," and necessary response to assaults against Border Patrol agents in November 2018 and January of this year.

Reported similarly: [Columbia Journalism Review](#) [3/8/2019 7:40 AM, Jon Allsop, 51K, NY]

### **Immigration Groups Want Data On HIV Asylum Seekers**

[Gothamist](#) [3/11/2019 5:00 AM, Beth Fertig, NY] reports that it's been nearly a decade since the United States began allowing people with HIV from abroad to enter the country as immigrants. But the U.S. has never provided data on the number of HIV-positive refugees or asylum seekers admitted since the immigration law changed in 2010, despite efforts from groups including the Center for American Progress and Immigration Equality. Aaron Morris, executive director of Immigration Equality, noted that persecution against people with HIV, as well as those who are LGBT, is common in parts of Central America, Africa and Eastern Europe. This is why the public deserves to know whether these asylum-seekers are having success. U.S. Citizenship and Immigration Services has said it can't comment on individual cases. But a spokesperson noted the 2010 law that allowed people with HIV to enter the country. She also said the agency reviews each case on its own merit, with decisions based on relevant laws and evidence. But Morris said breaking down the data on asylum seekers would help determine whether asylum officers and immigration judges are, in fact, being fair, when deciding who can enter the U.S. to pursue a claim. The Executive Office for Immigration Review, which runs the immigration courts, "does not track in its case database any grounds for asylum claims," said spokesman John Martin.

### **Feds Wrong To Shield Files On Protected Status, Groups Say**

[Law360](#) [3/8/2019 7:06 PM, Tiffany Hu] reports the Trump administration cannot withhold certain documents under the presidential communications privilege while also claiming that President Donald Trump was not involved in the decisions to end temporary protected status for Haitians, Salvadorans and Hondurans, nonprofit groups and immigrants suing the administration said Friday. Because the power to either extend or end TPS has belonged to U.S. Department of Homeland Security Kirstjen Nielsen and former acting DHS Secretary Elaine C. Duke, the administration could not invoke presidential privilege over certain documents requested by Boston-based immigrant advocacy group Centro Presente and others who alleged last year that racial animus fueled the administration's decisions to end the protections in the three countries, according to the motion. According to the motion, the court, in finding that the plaintiff's claims were "sufficient to state equal protection and due process claim," had pointed to statements Trump made in office and on the campaign trail that plausibly showed animus against immigrants.

Under TPS, individuals from designated foreign countries under certain conditions, such as an armed conflict or natural disasters, may be eligible for work authorization and protected from deportation in the U.S. There is no limit on how many times TPS can be automatically extended, and there are approximately 400,000 TPS holders residing in the U.S. Centro Presente's suit alleges that the new policy violates due process and the equal protection clause. In July, U.S. District Judge Denise Casper rejected most of the administration's bid to toss the immigrants' claims in the lawsuit, dismissing only a claim seeking mandamus relief.

### **Trump admin extends immigration protection for South Sudanese**

[The Hill](#) [3/8/2019 12:18 PM, Rachel Frazin, 3038K] reports the Trump administration has granted temporary protected status holders from South Sudan an 18-month extension. Homeland Security Secretary Kirstjen Nielsen announced the extension on Friday, saying

that she made the decision after reviewing conditions on the ground. "After carefully reviewing conditions in South Sudan with interagency partners, Secretary Nielsen determined the ongoing armed conflict and extraordinary and temporary conditions that support South Sudan's current designation for TPS continue to exist," the Department of Homeland Security said in a statement. The extension allows the 84 TPS beneficiaries from South Sudan to reregister to remain in the country until Nov. 2, 2020.

### **Democrats Urge U.S. Asylum for Venezuela's Population**

[Breitbart](#) [3/8/2019 4:29 PM, Neil Munro, 2015K] reports Sen. Marco Rubio and 23 Democratic Senators are asking President Donald Trump to grant asylum to Venezuelans, even though the grant would minimize the Venezuelans' incentives to overthrow their country's Cuban-backed dictatorship. Offering asylum to Venezuelans would take the air out of the popular uprising against the dictatorship in the same way that Cuba's communist dictatorship used U.S. immigration laws to deport its opponents to Florida, said David North, an expert at the Center for Immigration Studies. The asylum letter is being pushed by top Democratic Senators, including Minority Leader Chuck Schumer and Sen. Dick Durbin. Both Senators have fought bitterly to block the President's immigration reforms, including construction of a border wall and reforms of the pro-migration asylum rules which are now encouraging a mass migration of Central Americans into the United States. Florida GOP Sen. Rubio signed on to the letter, likely with the support of various GOP donors and business groups who stand to gain from an infusion of investments and spending by Venezuelan migrants. Democrats suggest that only 72,000 Venezuelans are candidates for TPS. But the TPS proposal has been promoted for months, ensuring that many wealthier Venezuelans have been able to fly into Florida on routine tourist visas, and then overstay their term in the hope of getting TPS. Media reports say more than 2 million Venezuelans have fled the country, and that perhaps 200,000 Venezuelans are already living in Florida, with minimal chance of being sent home.

### **[CT] Legislature's judiciary committee considers several immigration-related bills**

[Hartford Courant](#) [3/8/2019 5:42 PM, Daniela Altimari, CT] reports that while immigration is largely a federal issue, the state legislature's judiciary committee held a public hearing Friday on a number of immigration-related bills. Senate Bill 948 would reduce the punishment for certain misdemeanors from one year in prison to 364 days. By shaving one day off the sentence, the state would avoid triggering deportation proceedings for crimes such as reckless driving or theft of items valued at less than \$2,000. The legislation is based on a recommendation by the state's sentencing commission, which reviews criminal justice policy. The committee also weighed changes to the Trust Act, a 2013 law, modeled after similar legislation in California, that is designed to make sure undocumented immigrants can go to police and other government authorities without fear of deportation. Senate Bill 992 would bar Connecticut law enforcement officers from taking someone into custody based on a detainer from the Immigration and Customs Enforcement. It would also clarify existing law to specify that judicial marshals can only honor immigration detainers if they are accompanied by a court warrant. The committee also heard testimony on two other immigration bills. Senate Bill 993 would require state and local law enforcement to comply with all ICE civil immigration detainers, without court warrants, effectively undermining the 2013 Trust Act. The measure was sponsored by several Republican lawmakers. Senate Bill 991 would provide indigent individuals with access to an attorney during immigration removal proceedings at the federal Executive Office for Immigration Review.

Reported similarly: [WNPR](#) [3/8/2019 4:01 PM, Frankie Graziano and Ray Hardman, CT]

**[NY] Documents Show U.S. Immigration Agents Kept Tabs on New York City Protesters**

[WNYC](#) [3/8/2019 4:45 PM, Danny Lewis, 109K, NY] reports that last summer, several New York events were flagged as "anti-Trump protests" in a document uncovered by The Nation that was emailed to the investigative branch of U.S. Immigration and Customs Enforcement (ICE). The spreadsheet documented a series of mostly left-leaning rallies that took place over 18 days last summer. An ICE spokeswoman told WNYC that the document was compiled to provide "situational awareness" for agents as they conducted investigations in New York City. But as The Nation contributor Jimmy Tobias told WNYC's Jami Floyd, it's raised serious questions about ICE's activities and possible surveillance of protesters. [Editorial note: consult source link for audio]

**[WI] New Milwaukee County sheriff says office will no longer share information with ICE**

[Los Angeles Times](#) [3/10/2019 6:00 AM, Melissa Etehad, 3575K] reports that the Milwaukee County Sheriff's Office has undergone rapid changes since it got a new sheriff, including a policy to halt the sharing of information with federal immigration agents that would help them determine whether inmates were eligible for deportation. Sheriff Earnell Lucas said his decision to not provide information to U.S. Immigration and Customs Enforcement agents unless a judge issued a warrant was meant to help regain trust in the immigrant community and avoid costly litigation. ICE representatives said they would "continue to conduct at-large arrests in local neighborhoods and at work sites, which will inevitably result in additional collateral arrests." The controversial policy was signed into law in 1996 in order to bridge a path for state or local law enforcement agencies that wanted to collaborate with federal immigration enforcement efforts. The program is voluntary, and participation, which is subject to federal approval, can later be canceled. ICE's Atlanta field office director Sean Gallagher said in a news conference that residents in North Carolina could expect to see more ICE agents in their communities. "ICE will now have no choice but to conduct more at-large arrests in local neighborhoods and at work sites, which will inevitably result in additional collateral arrests instead of arrests at the jail where enforcement is safer for everyone involved," Gallagher said. Christine Neumann-Ortiz, executive director of Voces de la Frontera, an immigrant rights group based in Milwaukee, said the best response to an increase in non-targeted raids is political mobilization. People "need to engage local law enforcement and local government officials to pass policies that refuse to be used as an arm of immigration," she said.

Reported similarly:

[Newsweek](#) [3/10/2019 8:06 PM, Christina Zhao, 2656K, NY]

[Minneapolis Star Tribune](#) [3/10/2019 7:40 PM, Melissa Etehad, 465K, MN]

[Durham Herald-Sun](#) [3/10/2019 8:08 AM, T. Keung Hui, 11K, NC]

[Raleigh News & Observer](#) [3/10/2019 7:20 PM, Keung Hui, 153K, NC]

**[CO] A one-day sentencing reduction for some Colorado crimes would help legal immigrants avoid deportation**

[Colorado Sun](#) [3/8/2019 2:00 PM, Jesse Paul, CO] reports reducing the maximum sentence for some low-level crimes by a single day would help Colorado's legal immigrants stay off of



the federal deportation radar and could lighten the caseload for state and municipal courts.

Under current state law, a Class 2 misdemeanor carries a potential sentence of up to a year in jail. That's problematic for immigrants living in the U.S. legally, like those with a visa or legal permanent residency, because being convicted or pleading guilty to a crime that carries a possible sentence of a year or more means they are a target for mandatory deportation. But under House Bill 1148, headed to Gov. Jared Polis' desk after passing its last hurdle in the legislature Friday, that year-long maximum sentence would be reduced to 364 days. "That (year-long potential sentence) rendered somebody, for something as minor as criminal mischief, mandatorily deportable without any ability to argue their case before an immigration judge," said Sen. Julie Gonzales, a Denver Democrat who was one of the bill's prime sponsors. Gonzales argues that the change will reduce the caseload on courts because more defendants will be resolving their cases more quickly. House Bill 1148 also would mandate that cities and towns in Colorado could not sentence someone to more than 364 days in jail for committing a municipal offense. According to nonpartisan, state budget analysts, there were 5,819 people convicted of a Class 2 misdemeanor in Colorado last year. As a result of the bill, they expect more defendants to plead guilty to their charges, potentially decreasing jail costs. If Polis signs the bill into law, it will go into effect on Aug. 2.

### **[CA] Trump slams 'grandstanding' California governor on asylum shelters**

[Politico](#) [3/9/2019 6:35 PM, Christian Vasquez, 2577K] reports that President Donald Trump on Saturday continued to swipe at California Gov. Gavin Newsom, comparing taxpayers' expense on newly built shelters for asylum seekers to the state's scaled-back high-speed rail project. "I hope the grandstanding Governor of California is able to spend his very highly taxed citizens money on asylum holds more efficiently than money has been spent on the so-called Fast Train, which is \$Billions over budget & in total disarray. Time to reduce taxes in California!" Trump tweeted. Last month, the Trump administration threatened to withdraw nearly a billion dollars in federal funding that is marked for California's high-speed rail project. The project was scaled back after Newsom said the San Francisco to Los Angeles portion was facing rising costs and increasing logistical concerns. Newsom said that threat was retaliation after California led 16 states to file a lawsuit against Trump's national emergency declaration to secure funding to build his border wall. "This is clear political retribution by President Trump, and we won't sit idly by. This is California's money, and we are going to fight for it," Newsom said at the time.

Reported similarly: [Washington Examiner](#) [3/9/2019 5:25 PM, Katelyn Caralle, 629K, DC]

## **Legal News**

### **In ruling with 'sweeping implications,' 9th Circuit rules asylum-seeker is entitled to habeas review**

[ABA Journal](#) [3/8/2019 9:20 AM, Debra Cassens Weiss, 33K] reports that immigrants seeking asylum may seek habeas review of the procedures leading to expedited removal orders, a federal appeals court has ruled. The March 7 decision by the 9th U.S. Circuit Court of Appeals at San Francisco has "sweeping implications," according to a press release by the American Civil Liberties Union. The ACLU represented Vijayakumar Thuraissigiam, a member of the Tamil ethnic minority in Sri Lanka who claimed he was persecuted in his home country for supporting a Tamil political candidate. Under the current procedure, asylum-seekers are screened by asylum officers who determine whether they

have a credible fear of persecution in their home countries. If denied, asylum-seekers can request a review by an immigration judge, "but it is usually cursory, and favorable decisions are rare," the New York Times reports. Circuit Judge A. Wallace Tashima said in the 3-0 panel opinion that the fast-track system offered "meager procedural protections," and the constitutional minimum "is not satisfied by such a scheme." Immigrants in such cases are entitled to seek habeas review in federal courts to challenge the legal procedures leading to expedited removal orders, Tashima said. The law establishing expedited removal "violates the suspension clause as applied to Thuraissigiam, although we do not profess to decide in this opinion what right or rights Thuraissigiam may vindicate via use of the writ," Tashima said. The suspension clause reads: "the privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it." The 9th Circuit's grant of habeas rights conflicts with a decision by the 3rd Circuit at Philadelphia, increasing the probability of Supreme Court review.

Reported similarly:

[NPR](#) [3/8/2019 5:33 AM, Matthew S. Schwartz]

[American Thinker](#) [3/8/2019 1:00 AM, Rick Moran, 207K]

[KFOX 14](#) [3/8/2019 6:42 AM, Simon Williams, 16K, TX]

### **Law360's Pro Say: Is Court Too Risky For Immigrants?**

[Law360](#) [3/8/2019 6:30 PM, Amber McKinney, Bill Donahue, and Alex Lawson] reports that unauthorized immigrants are facing a growing risk of arrest if they enter a courthouse, as federal officials are increasingly using courts as staging grounds for enforcement actions. On this week's show, reporter RJ Vogt joins us to discuss the trend, including why officers say it's necessary and why advocates say it's a problem. Immigrants being detained at courthouses isn't necessarily a new concept as the Obama administration also allowed the practice, but the number of such arrests has exploded since President Donald Trump took office in 2017. As a result, legal aid attorneys across the country have reported dips in the number of immigrants pursuing cases over wage theft, domestic violence and workplace sexual assault. Despite concerns from police, prosecutors, judges and defense attorneys about the chilling effect that courthouse enforcement actions have on immigrants' access to justice, Immigration and Customs Enforcement agents have indicated that the arrests will continue, RJ explains in this week's episode. [Editorial note: consult source link for audio]

### **5th Circ. Reopens Salvadoran Woman's Removal Case**

[Law360](#) [3/8/2019 4:45 PM, Tiffany Hu] reports the Board of Immigration Appeals wrongly refused to reopen deportation proceedings for a Salvadoran family after the mother failed to appear in court, the Fifth Circuit has ruled, finding that she was never informed of the hearing even though she gave her new address. In a seven-page published opinion, the appellate panel on Wednesday sent Norma Yanet Fuentes-Pena's case back to the BIA, finding that the board abused its discretion when it denied her bid to revive removal proceedings against her and her two minor children. The government had argued that Fuentes-Pena was required to provide her new address to the U.S. Attorney General's Office under the removal statute, but the panel disagreed, concluding that she had properly updated ICE and that the onus was on the agency to tell the immigration court. "Fuentes-Pena satisfied her statutory obligation to provide notice of her change of address, and her failure to attend her removal hearing is excused," Circuit Judge E. Grady Jolly wrote for the panel. "The BIA abused its discretion by refusing to reopen removal proceedings against her." The U.S. Department of Homeland Security had served Fuentes-Pena with a notice to

appear before immigration court in Miami at a to-be-determined time and date, the panel said. Along with the DHS' notice to appear, ICE had attached a separate notice stating that the notice to appear would be filed with the Miami immigration judge "with jurisdiction over the residential address [she] provided to ICE upon [her] release," according to the decision. Fuentes-Pena had then provided her address in Duncanville, Texas, and subsequently received a change of address form that she acknowledged had to be used to tell the immigration judge and ICE of any address changes within five days, the panel said. Months later, she moved to Massachusetts and updated only ICE about her new address. In June 2016, the immigration court mailed to her Texas address a notice that her immigration hearing was scheduled for that month, according to the panel.

**[MA] Mayor Walsh On ICE Arrest: 'I Don't Like The Way This Case Went Down'**

[WGBH](#) [3/8/2019 2:55 PM, Tori Bedford, 43K, MA] reports Mayor Marty Walsh says he's unhappy with the way the Boston Police Department handled the arrest of a local construction worker, in light of a new lawsuit filed by the U.S. Department of Labor. The lawsuit alleges the Tara Construction company unfairly retaliated against an employee, Jose Martin Paz Flores, who is not a legal U.S. resident, after Paz filed for worker's compensation. According to the lawsuit, ownership at the construction company contacted two Boston Police detectives, who in turn contacted agents from U.S. Immigration and Customs Enforcement, and arranged for Paz to be arrested in 2017. During his monthly "Ask The Mayor" segment on Boston Public Radio, Walsh told WGBH News' Jim Braude the BPD mishandled the case. "I didn't like the way this case came down," Walsh said. The suit claims Paz was arrested with his then two-year-old son in the car with him, by a "joint ICE/Boston Police Department task force." "It seems like an employer here was trying to kind of get back an employee," Walsh said. "The employer actually made the calls with the assistance I guess. And it's unclear about what role detectives played in this particular case, but I want to be very clear on [this] when I talk about immigrants in Boston: We shouldn't be criminalizing immigrants." The ACLU of Massachusetts has filed a public records request to gain more information on the case. Walsh said he's working with the U.S. Labor Department, the Boston Police and Yvonne Abraham, the Boston Globe writer who first broke the story.

**[TX] Knight-Wallace Fellow Emilio Gutiérrez Soto denied asylum in U.S.**

[Michigan Daily](#) [3/8/2019 3:20 PM, Remy Farkas, MI] reports Emilio Gutiérrez Soto, University of Michigan Knight-Wallace fellow, was ordered to return to Mexico after a United States immigration judge denied his application for asylum Feb. 28. On Thursday, Gutiérrez's attorney filed an appeal to the U.S. Board of Immigration Appeals on his behalf. Gutiérrez sought asylum in the United States in 2008 after facing death threats for his reporting for local news outlet El Diario Del Noroeste on crimes committed by members of the military in Chihuahua, Mexico. In 2017, a Texas judge denied him asylum and scheduled him for deportation. He and his son Oscar were detained in a U.S. Immigration and Customs Enforcement detention facility in Texas for nearly eight months. However, the Texas judge's decision came under fire from various journalism organizations, halting his deportation. Gutiérrez Soto and his son were released from the detention facility in July 2018. In the Feb. 28 decision, Judge Robert Hough stated Gutiérrez did not demonstrate experience of persecution during his time in Mexico nor did he show a fear of future persecution upon his return. Both Gutiérrez and his son, Oscar, were released from U.S. Immigration and Customs Enforcement detention in Texas in July.

### **[WA] Nationwide Classes Of Asylum Seekers Certified In Wash.**

[Law360](#) [3/8/2019 7:12 PM, Kevin Penton] reports a Washington federal judge has certified two nationwide sets of classes in a case in which detained asylum seekers allege that the federal government has not provided them in a timely manner with either bond hearings or determinations on whether they credibly fear persecution. U.S. District Judge Marsha J. Pechman on Wednesday certified one class of detained asylum seekers who said they were not provided credible fear determinations within certain deadlines. She also certified a second class of detained asylum seekers who said they received a favorable determination but were then not provided with a bond hearing within seven days of requesting one, according to her order in the Western District of Washington. The members of first class said they were not provided a credible fear determination within 10 days of the later of either the end of any criminal proceedings related to their entry into the United States, or when they expressed a fear of persecution or of when they requested asylum, according to the order. The second class seeks for the bond hearings to occur within a week, and also asks for a "verbatim transcript" of the proceeding and that the burden of proof in the hearing be placed on the federal government, according to Wednesday's order.

Judge Pechman rejected the federal government's arguments against nationwide certification, including that the classes be limited to the Western District of Washington or that the named plaintiffs are poor representatives. "The court finds defendants' concern that class members be afforded the opportunity to seek 'speedier individual recovery' to border on the cynical," Judge Pechman said. "It is again a fact eligible for judicial notice that the overwhelming majority of these class members are not sufficiently resourced to pursue litigation on their own." The classes filed their complaint in June and sought a preliminary injunction in September, saying the bond hearings currently provided by the Executive Office of [for] Immigration Review run afoul of due process standards in that they are not properly recorded, asylum seekers bear the burden of proof and immigration judges do not issue specific, case-by-case findings when making a decision. "The federal government has been very transparent in manipulating the process — delaying cases and prolonging detention as a means to deter asylum seekers from pursuing their right to seek protection," said Matt Adams of the Northwest Immigrant Rights Project, an attorney representing the class, in a statement. "This order was absolutely essential to provide any meaningful opportunity for detained asylum seekers to challenge the current practices."

## **Enforcement News**

### **ICE Is Detaining 50,000 People, an All-Time High**

[Daily Beast](#) [3/8/2019 2:22 PM, Spencer Ackerman, 2406K, NY] reports that for the first time in its history, the U.S. government is detaining more than 50,000 people it says are undocumented immigrants in jails and prisons around the country. According to a figure provided to Capitol Hill, Immigration and Customs Enforcement has set an all-time record of 50,049 people as of Wednesday, March 6. After initial publication of this piece, ICE confirmed the detentions figure. Asked what accounts for the increase, ICE spokeswoman Danielle Bennett said in a statement: "ICE makes custody determinations on a case-by-case basis, in accordance with U.S. law and Department of Homeland Security policy, considering the merits and factors of each case while adhering to current agency priorities, guidelines and legal mandates. Ensuring there are sufficient beds available to meet the current demand for detention space is crucial to the success of ICE's overall mission." A year ago, when passing ICE's most recent budget, legislators explicitly instructed the

interior-immigration agency to cap detentions at 40,520. Instead, by the summer ICE had surpassed that total, leading its Department of Homeland Security parent to raid its other accounts, including FEMA, to float ICE. ICE has still yet to account for its funding for the detentions increase. Asked on Thursday by The Daily Beast, ICE pointed to a conference call with Deputy Director Matt Albence from Feb. 11. Albence at the time answered a question about where ICE found money for an 8,000-person detentions overage by saying it was "still coming out of our detention PPA. That's where we fund our detention beds. So, we are funding at levels where we are able to cover the bills that we currently have." Albence said last month that the 52,000 detentions ICE seeks congressional funding for was "really what we need to get the [job] done. We're managing as best as we can with the resources that we currently have, but there's certainly no shortage of work out there."

Reported similarly: [The Week](#) [3/8/2019 5:33 AM, Staff]

### **More than 2,000 migrants quarantined in U.S. detention centers due to disease outbreaks**

[Reuters](#) [3/10/2019 8:07 AM, Mica Rosenberg, Kristina Cooke] reports that Christian Mejia thought he had a shot at getting out of immigration detention in rural Louisiana after he'd found a lawyer to help him seek asylum. In early January, a mumps outbreak at the privately-run Pine Prairie U.S. Immigration and Customs Enforcement Processing Center put Mejia and hundreds of other detainees on lockdown. His attorney wasn't allowed in, but his immigration court case continued anyway -- over a video conference line. On Feb. 12, the judge ordered Mejia deported back to Honduras. As of March 6, more than 50,000 migrants were in detention, according to ICE data. ICE health officials have been notified of 236 confirmed or probable cases of mumps among detainees in 51 facilities in the past 12 months, compared to no cases detected between January 2016 and February 2018. Last year, 423 detainees were determined to have influenza and 461 to have chicken pox. All three diseases are largely preventable by vaccine. Pablo Paez, a spokesman for The GEO Group, the private prison operator that runs Pine Prairie under government contract, said its medical professionals follow standards set by ICE and health authorities. On Tuesday, U.S. Customs and Border Protection Commissioner Kevin McAleenan told reporters that changing demographics on the southwest border, with more immigrants from Central America traveling long distances, overwhelmed border officials and raised health concerns. "We are seeing migrants arrive with illnesses and medical conditions in unprecedented numbers," McAleenan said at a press conference. Since January, the 1,094-bed Pine Prairie facility has had 18 detainees with confirmed or probable cases of mumps compared to no cases in 2018, according to ICE. As of mid-February, 288 people were under quarantine at Pine Prairie.

Reported similarly: [The Hill](#) [3/10/2019 4:37 PM, Brett Samuels, 3038K]

### **Report: Officials Send Asylum Seekers From Texas to Arizona**

[NBC DFW](#) [3/10/2019 8:00 AM, Staff, TX] reports a drastic increase in the number of families seeking asylum along the Texas-Mexico border has caused immigration agents to transport many of the people to Arizona, a newspaper says. The Arizona Republic reports that U.S. immigration officials are taking families who were detained in El Paso, Texas, and transporting them 300 miles to Tucson, Arizona. Immigration and Customs Enforcement agents transported 398 asylum seekers from El Paso to Tucson between Feb. 16 and Feb. 18. More than 76,000 migrants crossed the U.S.-Mexico border last month, more than



double the number from the same period last year. In the past few months, 70 groups of more than 100 people crossed illegally. Government figures show the number of immigrants apprehended while traveling as families in the El Paso region has gone up nearly 1,700 percent in the first five months of the current fiscal year over the same period last year. The city's shelters have been unable to house all the newly released families and many found themselves on the streets in search of transportation. Tucson shelters are taking on much of the burden. In the past month, one shelter has taken in more than 1,100 mostly Central American families released from detention.

### **'An Angel From God,' and Border Agents Took Her**

[New York Times](#) [3/9/2019 7:31 PM, Nicholas Kristof, 20737K] reports that President Trump claimed last June to have ended the practice of separating immigrant families at the southern border. Mr. President, meet Clemente and his daughter Wendy, both fleeing gang violence in Guatemala. Your administration separated them six months ago and kept them apart. These family separations, continuing but at a lower level than before, are an element of the real "emergency" at the border -- the one also involving physical and sexual abuse of immigrant children in U.S. custody and systematic deception from Washington. Trump's policy to deter desperate immigrants appears counterproductive; apparently the furor it provoked drew attention to the possibility of migration. The result is a surge of Central American families traveling to the United States, with the number crossing the border far higher than a year earlier. Clemente fled with his eldest daughter, Wendy, then 15, leaving his wife and five other, younger children. Officials separated Clemente and Wendy Aug. 20, two months after Trump said he had ended the family separation policy. "If it were peaceful, I'd like to be back there where I grew up," said Clemente, who received help from Immigrant Families Together in his quest to reunite with his daughter. "I'd love to be in the land where I was born." The Texas Civil Rights Project found that at least 272 adults were separated from a child family member in the six months after Trump supposedly ended family separation.

### **Illegal border crossings from Canada quietly rising, data shows**

[NBC News](#) [3/9/2019 3:54 PM, Kerry Sanders, Ezra Kaplan, and Daniella Silva, 4061K] reports that more than 960 people crossed into the U.S. illegally from the northern border with Canada last year, according to data released from Customs and Border Protection. While that number is a tiny fraction compared to the migration across the border with Mexico, it represented a 91 percent increase from the prior fiscal year, the data showed. A large percentage of that spike came from the Swanton border patrol sector - along the border of New Hampshire, Vermont and New York -- where agents apprehended 548 people in 2018, up from 165 in all of 2017. Border Patrol Agent Richard Ross, who runs the border patrol station in Newport, Vermont, part of the Swanton sector, told NBC News he thought the apprehensions were "definitely trending up." He added that the type of apprehensions agents were seeing were "very organized," sometimes using smuggling organizations. Ross said he believed there may be a perception that traveling from Canada was "safer" and the increase could be attributed to recent immigration changes in Canada that allow those from some countries, such as Mexico and Romania, to enter without a visa. A spokesperson for Immigration, Refugees and Citizenship Canada (IRCC) told NBC News in a statement that Canadian authorities "work closely with their U.S. counterparts, and to date, the impact of the Mexican and Romanian visa lifts on the shared border has been minimal." The IRCC statement added that Bill Blair, the minister of border security and organized crime reduction, has met with Homeland Security officials, U.S. senators and will

continue to work with DHS Secretary Kirstjen Nielsen. Erique Gasse, a spokesman for the Royal Canadian Mounted Police in Montreal, told NBC News he could not comment on what was happening on the U.S.-side when asked for a response on the increase in the latest apprehensions. The RCMP has previously told CBC News it cannot stop Mexican citizens from walking out of Canada because it was not illegal for them to come to Canada in the first place.

Reported similarly: [ThinkProgress](#) [3/10/2019 11:19 AM, Rebekah Entralgo, 402K, DC]

**[NC] As immigration debate boils, Charleston heats up as a 'robust' detention point**  
[Post and Courier](#) [3/10/2019 12:53 PM, Stephen Hobbs and Gregory Yee, SC] reports a recent influx of hundreds of asylum seekers is bringing money — and increased scrutiny — to Charleston County's detention center, amid the country's heightened immigration debate. The county remains a willing partner to detain people, not just immigrants, on behalf of the federal government, and it expects to receive millions of dollars again this year for doing so. While a steady stream of federal detainees to the AI Cannon Detention Center is not unusual, the sudden arrival of more than 400 asylum seekers since late December was. The move happened on short notice and without any official announcement. It also caught the attention of immigration attorneys, locally and across the country, who stepped in to try to help the newly arrived detainees. The jail in North Charleston has historically been used as a place to put people arrested by Immigration and Customs Enforcement in South Carolina, said Bryan Cox, an agency spokesman. But it is now also housing people transferred from the country's Southwest border, he said. The transfers come as federal officials continue to focus intently on people headed to the border. Immigration courts nationwide are overwhelmed. Bed space is scarce. Meanwhile, arrests are on the rise. Charleston County is not an unusual choice for holding immigrant detainees for the federal government. Several other local governments have similar agreements with ICE. Cox, the ICE spokesman, said the agency is temporarily moving detainees to inland areas, such as Charleston, to deal with the growing numbers at the border. County jails, such as the Cannon Detention Center, are handling the overflow.

**[SC] Illegal Alien Faces Fourth Deportation In Three Years**

[Town Hall](#) [3/10/2019 1:22 PM, Timothy Meads, 287K] reports that an illegal alien found residing in Saluda County, SC is facing his fourth deportation in under three years after being arrested for driving under the influence earlier this year. According to reports, "Fulgencio Vasquez-San Juan, of 1897 Fruit Hill Road, Saluda, was charged Thursday in federal district court with illegal re-entry to the U.S. by an alien who was previously removed from the U.S.". Police records indicate that Vasquez-San Juan "was previously deported in April 2016, March 2018 and June 2018. It did not list his nationality" but was found guilty of "of driving under the influence with a blood alcohol content.16 or higher, driving without a license and seatbelt violation. He is serving a 30-day sentence, which he'll complete on March 21." Following his trial, local authorities handed the illegal alien over to Immigration and Customs Enforcement for detainment.

**[GA] Trans man fights for survival in Georgia immigration facility**

[Project Q Atlanta](#) [3/10/2019 11:56 AM, Patrick Saunders, GA] reports that a transgender man held at an immigration detention center in South Georgia has been in solitary confinement for 15 months and isn't receiving proper medical care. That has caused serious physical and mental health issues for Chin Tsui, according to advocates who are monitoring

his case. An online campaign to free Tsui from the detention center is underway, and a protest is planned for March 11 outside the Atlanta Immigration Court on Ted Turner Drive in downtown Atlanta. Tsui is one of four transgender detainees in ICE facilities in Georgia, according to U.S. Immigration & Customs Enforcement spokesperson Danielle Bennett. All four — Tsui and three transgender women — are housed at the Irwin County Detention Center in Ocilla, which is a three-hour drive from Atlanta. There are 111 "self-identified transgender individuals" in 20 immigration facilities nationwide, according to Bennett. Khudai Tanveer, membership organizer for the National Queer Asian Pacific Islander Alliance and an advocate for Tsui, said that the treatment by ICE is taking a toll on the detainee. ICE would not comment on Tsui's case, citing privacy rules. "That said, I can tell you that this person is being held in full accordance with ICE's policy on transgender care," said Bryan Cox, communications director for ICE's southern region. Trans detainees should be segregated — put in solitary confinement — "only as a last resort and when no other temporary housing option exists," according to the policy. If the facility is unable to meet the detainee's housing needs, an ICE field office director "shall examine options for transfer of the detainee to a different facility." The policy also states that trans detainees receiving hormone therapy before being in ICE custody "shall have continued access to hormone therapy."

**[MI] ICE makes more arrests at decoy university; some detainees being deported, authorities say**

[FOX News](#) [3/9/2019 7:01 AM, Louis Casiano, 9216K] reports federal immigration authorities say they have arrested more students enrolled at a sham Detroit-area university created by the Department of Homeland Security. U.S. Immigration and Customs Enforcement has arrested 161 foreign nationals at the University of Farmington in Farmington Hills, Mich., on immigration violations since the operation began in January, ICE spokesman Khaalid Walls told the Detroit Free Press. "Several have since been removed and others are currently in various stages of the removal process," Walls said. Authorities announced Jan. 30 that 130 students enrolled at the university had been arrested. The sting set up by DHS involved making the bogus school appear to be a real institution, including accreditation. The detained students — mostly from India — were being housed in 34 lockups across the county, according to the American Telugu Association. Some come from poor areas and took out substantial loans "to study here to study and pursue the American dream," association president Parmesh Bheemreddy told the paper. "Now, it will be difficult to pay off their debts after they're sent back to India," he said. Some of the remaining 440 students who haven't been arrested have opted to leave the U.S. The Indian government said it is trying to help the detained students.

Reported similarly:

[Yahoo! News](#) [3/9/2019 10:42 AM, Staff]

[Detroit Free Press](#) [3/8/2019 5:06 PM, Niraj Warikoo, MI]

[KTLA](#) [3/8/2019 11:19 AM, Associated Press, 267K, CA]

**[MI] County, ICE at odds over detention procedures**

[Grand Rapids Business Journal](#) [3/8/2019 7:53 AM, Danielle Nelson, MI] reports Kent County and the U.S. Immigration and Customs Enforcement Agency are on tenuous terms. The Kent County Sheriff's Department recently instituted a policy change that now requires ICE to provide a judicial warrant for the department to detain an illegal immigrant for longer than the individual's release date. Previously, the department had held such individuals for

a longer period at the request of ICE officials. On Feb. 28, ICE issued a scathing rebuke to the policy change, citing three examples of illegal immigrants engaging in criminal activities. According to ICE, a Honduran native was arrested in Kent County for assault with intent to commit murder. A pair of Mexican nationals were arrested for alcohol-related offenses. All had previously been in Kent County's custody and ICE used the detainer system to prolong their captivity. One of the Mexican nationals who was arrested for operating a vehicle while intoxicated was previously convicted of battery, second-degree battery, fraud-false information to law enforcement and felony re-entry after deportation, according to ICE. "The release of criminal aliens back on West Michigan streets continues to pose a serious threat to our communities," said Rebecca Adducci, Enforcement and Removal Operations field office director for Detroit, which covers the two-state region of Michigan and Ohio. "ICE remains committed to arresting and removing criminal aliens in the interest of public safety and national security, despite local decisions to not honor detainers and jeopardize the safety of its citizens."

**[TX] Muslim man denied green card after being detained, allegedly served pork: report**

[The Hill](#) [3/8/2019 9:14 PM, Brooke Seipel, 3038K] reports a Muslim man's green card has reportedly been rejected after he alleged Border Patrol agents served him pork sandwiches for nearly a week while he was detained. HuffPost reports that Adnan Asif Parveen, a Spanish citizen who was born in Pakistan, applied for the green card two years ago after marrying a U.S. citizen. Parveen had not received a decision on his green card application but reportedly had a permit to legally work in the U.S. when he was detained by U.S. Citizenship and Immigration Services earlier this year for six days. Parveen alleges that during those six days in custody, the only food he was offered was a pork sandwich every eight hours. He says he denied the food because he practices Islam, but eventually started eating just the bread without the meat. He also claims he was questioned about possible ties to terrorist groups and about the mosque he attends. U.S. Customs and Border Protection and Immigration and Customs Enforcement declined to comment to HuffPost or confirm the incident, but noted their policy is to accommodate religious dietary restrictions. After Parveen was released from custody and spoke to HuffPost in an earlier article about being fed pork, he heard back from U.S. officials that his green card had been denied. He is now being held at Port Isabel Detention Center in South Texas, where he faces the possibility of deportation.

Reported similarly: [Huffington Post](#) [3/8/2019 4:16 PM, Roque Planas, et al., 6834K]

**[TX] Fajardo convicted of misdemeanor theft, faces deportation**

[Waco Tribune Herald](#) [3/8/2019 8:32 PM, Tommy Witherspoon, 20K, TX] reports Estela Fajardo's chances to fight deportation were diminished if not dashed Friday after a jury convicted her of Class A misdemeanor theft of more than \$750 in what officials called a fencing operation for stolen property. Jurors in 19th State District Court deliberated five hours before convicting the 46-year-old undocumented immigrant and mother of four U.S. citizens of the lesser misdemeanor charge. Judge Ralph Strother sentenced Fajardo, who has lived in Waco 32 years, to one year in jail and fined her \$1,000. However, because Fajardo has been jailed about three years on an immigration detainer, the judge gave her credit for the more than 1,000 days she has been in jail. Her attorney, Gerald Villarrial, said with her trial and sentence behind her, Fajardo now will be placed in the custody of Immigration and Customs Enforcement officials because of an existing deportation order in

place. Villarrial said her immigration attorney will ask ICE officials to use discretion and allow Fajardo to remain in Waco and become a legal resident. Evidence during the four-day trial showed Fajardo was in possession of about \$4,600 in stolen goods that police officials traced back to home burglaries committed by two Waco men in late 2015 and early 2016. Fajardo claimed she owned many of the items and did not know she was buying stolen goods.

**[CO] There's Just One Medical Doctor at Immigration Detention Facility in Aurora**

[Westword](#) [3/8/2019 7:12 AM, Conor McCormick-Cavanagh, 106K] reports that's all a medical staff member said to a detainee at the immigration detention facility in Aurora when he tried to get an appointment with the staff physician in February. The detainee, who has "significant, ongoing medical issues," according to his attorney, first sent a written request to the detention center's staff about seeing a doctor, then followed up in person, all to no avail. The odds of him seeing a medical professional are slim. There's only one full-time physician at the facility, and that doctor oversees its thousand or so detainees. Immigration lawyers, medical professionals and politicians say that this ratio is one of many examples of extreme medical neglect at the facility run by GEO Group, a for-profit prison company, via a contract with Immigration and Customs Enforcement. ICE contends that it takes the health care of its detainees seriously. "I believe that our facilities are doing even more than is required," says Homero Mendoza, deputy ICE Denver field office director. A statement from the federal agency provided to Westword offers some more insight. "The medical program at the Aurora Contract Detention Facility provides 24/7 medical services; is supported by a team of medical professionals that includes a full-time physician, a full-time physician's assistant, a cadre of nursing services, dentist, psychologist, psychiatrist, and additional medical specialists, as well as referrals to local hospitals as needed; and is fully accredited by the American Correctional Association and the National Commission on Correctional Healthcare."

**[UT] Illegal Immigrant Mother, 31, Charged With Murder in Death of Her 6-Year-Old Son**

[Epoch Times](#) [3/9/2019 12:29 PM, Zachary Stieber, 221K] reports a 31-year-old Utah mother was arrested and charged with the murder of her 6-year-old son, who was found unresponsive in the family's home on Feb. 25. The child was rushed to the hospital but died two days later. Detectives probing the case found enough evidence to lead to the arrest and charging of Reyna Elizabeth Flores-Rosales. Court documents obtained by the Salt Lake Tribune stated the boy died because of a blow to the side of his head that caused his brain to bleed and swell. Doctors also found a slew of other injuries, including burns on the boy's buttocks, scars, and bruises. Doctors at Primary Children's confirmed that the injuries to the head "were caused by a person in one single event," and ruled out an accident as a possible cause. Flores-Rosales was previously investigated for suspected child abuse. Flores-Rosales was arrested on Feb. 26 and was charged with murder on March 7. She's also facing aggravated sexual abuse of a child and child abuse. Federal immigration authorities have placed an immigration hold on Floras-Rosales, a Honduran national, indicating that she is in the country illegally. A warrant was issued previously for Flores-Rosales to be released to immigration officials for deportation but the warrant was recalled in September 2018.

**[AZ] ICE drops dozens more migrants at Phoenix bus station; volunteers overwhelmed**



[AZ Central](#) [3/10/2019 8:46 AM, Uriel J. Garcia, 695K, AZ] reports immigration officials dropped off about 50 more undocumented migrants Friday morning at a Greyhound bus station near Phoenix Sky Harbor International Airport, where they were left to fend for themselves as overwhelmed volunteers sought help for them. Local church volunteers have been working to accommodate them, but their resources have become increasingly strained. Many of the migrants arriving Friday had been in the United States less than 24 hours. They all had in their possession immigration-related documents given to them by U.S. Immigration and Customs Enforcement. Friday's ICE drop-off is part of a continuing humanitarian crisis that has been unfolding in the past several months and has been fueled by what activists say are the Trump administration's immigration policies. At the same time, churches that have offered resources have been overwhelmed by the number of migrants being dropped off and lack of support from ICE officials, volunteers said. ICE has been coordinating with local churches and other organizations to drop off migrants. On Thursday, ICE released statistics that show the extent of the crisis. Since Dec. 21, according to the data, ICE has released 84,500 migrant family members.

[Fronteras](#) [3/8/2019 10:14 AM, Matthew Casey, 1K, AZ] reports ICE spokeswoman Yasmeen Pitts O'Keefe released a statement via email. "From Dec. 21, 2018 through March 5, 2019, ICE's Enforcement and Removal Operations in Arizona have processed approximately 14,500 family unit members for release and will continue to coordinate with external organizations who continue to provide assistance with basic needs of temporary shelter, food, water, clothing and transportation services to families released in Arizona. The dynamics of operational realities are ever-changing and the agency makes adjustments as required to best serve the mission. ICE wants to mitigate strains placed on resources in the local community as we continue to see high volumes of families crossing the border." The number and dates given by Pitts O'Keefe translate to an average of about 200 migrants per day having been processed for release in Arizona.

Reported similarly: [ABC 15](#) [3/8/2019 9:29 PM, Mark Phillips, AZ]

**[CA] California AG finds poor oversight on immigration detention centers**

[ABC 10](#) [3/8/2019 6:04 PM, Lilia Luciano, CA] reports that reports released in February by California Attorney General Xavier Becerra and State Auditor Elaine Howle concluded that cities and counties that contract with ICE to hold immigration detainees need to improve their oversight of these facilities to address some serious concerns about the health, safety, and rights of detainees. The reports found detainees endured prolonged periods of confinement without breaks, with some people spending 22-hours a day in their cells. In addition, none of the counties contracted with ICE and the Office of Refugee Resettlement made sure that ICE was covering the cost of housing detainees, and Yolo County may have spent \$700,000 more than what it received from the Office of Refugee Resettlement to house minors. "We find that one of the number one complaints is regarding medical neglect. So people who have serious medical conditions who are not being treated properly in immigration detention," Christina Mansfield, co-founder of the Freedom for Immigrants non-profit, told ABC 10. "We also routinely hear about sexual assault and immigration detention and we have reported on that."

**[CA] Immigrant detention center in Bakersfield, thought to be set to close, will stay open**

[Los Angeles Times](#) [3/9/2019 4:00 AM, Andrea Castillo, 3575K, CA] reports an immigration detention facility in Bakersfield that was expected to close later this month will remain open for another year, according to a federal contract made public this week. On Tuesday, Immigration and Customs Enforcement cited "unusual and compelling urgency" in a notice explaining its justification for keeping open the 400-bed Mesa Verde ICE Processing Center. The \$19.4-million contract allows private prison company GEO Group Inc. to continue running the facility through March 2020. Immigrant rights advocates said that ICE had kept them in the dark about the fate of immigrants being held there. In 2016, ICE's Office of Detention Oversight found Mesa Verde to be compliant with just four of 16 standards and found deficiencies in areas including sexual assault prevention, use of force, food service and medical care. The news website Capital & Main obtained public records showing that McFarland appeared unprepared for the scrutiny from the state attorney general and auditor. In a September 2018 closed-door City Council meeting, City Manager John Wooner said he had none of the records the state requested. Wooner then advised the council to "threaten GEO with termination of the ICE contract if it didn't raise the city's fee to a quarter of a million dollars," the website reported. The council voted 3 to 2 to accept the plan, but a spokesman for GEO Group denied that the city asked for a higher fee. GEO Group referred a request for comment to ICE. The agency said it is currently in the "pre-solicitation phase" of the competitive bidding process. "Without continued use of the facility, ICE would be required to relocate almost 400 detainees to facilities farther away from their families and attorneys," said ICE spokesman Richard Rocha. The agency said that relocating detainees -- some with serious medical conditions -- could "result in serious injury to the detainees as well as incur an unnecessary serious financial burden to cover the cost of relocating such a large population."

Reported similarly: [VICE News](#) [3/9/2019 7:53 AM, Belle Cushing]

**[CA] Salvadoran Teen From Migrant Caravan Reunites With Mother in Bay Area**  
[KQED](#) [3/10/2019 4:01 AM, Farida Jhabvala Romero, 160K, CA] reports that on a sunny morning in the Contra Costa County city Pinole, Veronica Aguilar pushed a supermarket cart at a discount grocery store. Her 15-year-old son Vladimir trailed closely behind, scanning the aisles. Until recently, something as routine as a grocery trip together seemed like a dream for Aguilar and Vladimir, who spent more than a year separated by international borders. Now, after months of anxiety, Aguilar and her son are living together at a home in Pinole. Since October, U.S. Border Patrol has apprehended nearly 27,000 unaccompanied minors crossing the border illegally, mostly from Central America. Another 2,000 minors traveling on their own have arrived in the U.S. through ports of entry, according to the most recent government figures. A U.S. Customs and Border Protection spokesperson said in a statement the agency processes "all unaccompanied alien children who present themselves at and between the ports of entry." "The safety of children in our custody is of paramount concern," the CBP spokesperson said. The agency has also stated that the number of asylum seekers they process daily at ports of entry depends on detention space in their facilities, translation requirements and other factors. [Editorial note: consult source link for audio]

**{End of Report}**



# EOIR MORNING BRIEFING

U.S. Department of Justice  
Executive Office for Immigration Review  
By TechMIS

[Mobile User Copy and Searchable Archives](#)

**Tuesday, Mar. 12, 2019**

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## Executive Office for Immigration Review

### Immigration-Enforcement Staff Would Grow Under Budget Proposal

[Wall Street Journal](#) [3/11/2019 4:47 PM, Byron Tau] reports the Trump administration is proposing a major increase in immigration-enforcement personnel, looking to add 100 new immigration judges and 300 attorneys to better handle a massive backlog of cases pending in the nation's immigration courts. As part of budget proposal released Monday, the administration is requesting \$71.1 million to support 600 additional positions in the Justice Department's Executive Office for Immigration Review. In addition to 400 new judge and attorney positions, the department is also looking to bring on 200 new law clerks, legal assistants, interpreters and other support staff as part of an effort to help process the nearly 800,000 pending immigration cases across the country.

The request for a major uptick in new immigration-enforcement personnel came as part of a \$4.7 trillion budget proposal released by the administration — a blueprint to its spending priorities for the next fiscal year, which also includes a \$8.6 billion request for additional barriers along the southern U.S. border.

## **DOJ seeks \$72M to hire more than 100 immigration judges, attorneys to help clear massive asylum backlog**

[FOX News](#) [3/11/2019 11:49 PM, Gregg Re and Jake Gibson] reports that in its budget request for the upcoming fiscal year, the Justice Department said it needs over \$72 million to fund the "stronger enforcement of the nation's immigration laws," according to materials released Monday, in an aggressive move intended to reduce the nation's backlog of asylum cases dramatically. As part of his fiscal year 2020 budget plan totaling \$4.7 trillion, which was unveiled Monday and faced immediate pushback in Congress, President Trump is also seeking billions more in funding for a border wall and controversial work requirements for Americans collecting a variety of welfare benefits. The DOJ, for its part, said it's aimed to hire more than 100 new immigration judges and support staff, including hundreds of, "attorneys, judicial law clerks, legal assistants and administrative support staff, including interpreters." The goal would be to have 659 immigration judges in place by sometime in 2020, officials said in the budget request. There are currently 412 immigration judges. The materials noted that the jump would represent a "36 percent increase in [immigration judges] since FY [fiscal year] 2018." "At the beginning of FY 2019, there were nearly 790,000 cases pending in immigration courts nationwide, a nearly 20 percent increase from October 2017 and by far the largest pending caseload before the agency, marking the 12th consecutive year of increased backlogs," the materials stated. "These investments will also improve our ability to conduct immigration hearings to help combat illegal immigration to the United States by expanding capacity, improving efficiency, and removing impediments to the timely administration of justice," according to the DOJ. "This budget supports the Department's efforts, along with our partners at the Department of Homeland Security, to fix our immigration system."

The bar for receiving a favorable determination on an asylum applicant is high, and most applicants do not end up receiving asylum. Citing widespread fraud and abuse of the process, the Trump administration last year rolled back an Obama-era expansion of potential asylum justifications, which extended protections to those alleging domestic abuse or gang-related attacks back home. The White House has argued that the asylum system is heavily overburdened, and that asylum law never was meant to provide safe haven to everyone suffering unfortunate circumstances in their homelands. The number of asylum seekers has ballooned in recent years, and immigration officials say it's in part because migrants have known they'd be able to live and work in the U.S. while their cases play out. That process could take years, in part because the immigration court has a backlog of over 700,000 cases. In a ruling last week, the left-leaning San Francisco-based 9th Circuit Court of Appeals threatened to extend the backlog even further, in a ruling that would provide a constitutional right to asylum applicants to be heard by a federal judge. The ruling, which conflicted with another appellate court opinion, appeared destined for an eventual Supreme Court challenge.

Additional reporting:

[Government Executive](#) [3/11/2019 5:58 PM, Eric Katz]

[ThinkProgress](#) [3/11/2019 3:48 PM, Rebekah Entralgo, 402K]

## **Weeks after the government shutdown, immigrants are still waiting for cancelled hearings to be rescheduled**

[CBS News](#) [3/11/2019 12:29 PM, Kate Smith, 2890K] reports immigration courts are still wading through the disruptions caused by the government shutdown, which closed the courts and effectively cancelled between 50,000 and 95,000 hearings in December and



January. Many immigrants are still waiting to have those hearings rescheduled, James McHenry, the director of the Executive Office for Immigration Review which oversees the nation's immigration courts, told lawmakers during a hearing last week. "The courts are in the process of rescheduling those, they've been working overtime since the shutdown ended to get that done," McHenry said. The nation's immigration courts reopened on January 28 after being closed for over a month during the partial government shutdown. Although McHenry estimated that 50,000 immigration cases were cancelled during the shutdown, others say the number could be nearly double that. According to Syracuse University's TRAC, 80,051 hearings during the shutdown were either outright cancelled or had their status left unchanged - the hearing date simply came and went without acknowledgement, leaving affected migrants to wonder what comes next. TRAC said the number of cancelled cases rises to more than 94,000 when it includes other factors, like "Docket Management" or "Immigration Judge Leave." Many hearings scheduled for the week after the government reopened were also postponed as court clerks waded through over a month's worth of filings that hadn't been touched during the shutdown. The immigration court system, which is overseen by the Department of Justice, handles a range of cases involving non-citizens, including issuing green cards and ruling on asylum claims. The courts also serve as a necessary step toward temporary Social Security cards - needed for work permits and driver's licenses - making hearings intensely important for immigrants. The cancellations have also added to the system's record-high case backlog, which McHenry estimated to be 850,000 during Thursday's hearing. Once the courts have fully realized the impact from the shutdown, immigration advocates predict it will get even bigger. In Houston, the immigration court begun issuing dates in 2022, said Ruby Powers, an immigration attorney.

### **When Will Joe Giudice Be Released From Prison? 'RHONJ' Star Teresa Giudice's Husband Immigration Order May Prevent Him From Going Home**

[Newsweek](#) [3/11/2019 12:00 PM, Janice Williams, 2656K, NY] reports Teresa Giudice's husband may be released from prison as early as this week. A lawyer for the Real Housewives of New Jersey star's husband confirmed to Page Six Joe Giudice's federal sentence would officially expire "on or about March 14, 2019." However, that doesn't necessarily mean Joe Giudice will be reunited with his family in New Jersey on Thursday. James J. Leonard Jr, the Giudice family attorney, told the publication Joe Giudice's immigration order could prevent him from returning home at the end of his prison stint. It could take up to a year for Joe Giudice's immigration appeal to be determined, and he could be ordered to remain behind bars until a decision regarding his citizenship is made. The potentially extended jail time comes near the end of Joe Giudice's 41-month prison sentence after he was charged with tax and wire fraud. The 46-year-old is expected to be deported back to his home country, Italy, should his appeal be overruled. Teresa Giudice, 46, was released from prison on similar charges in December 2015.

Reported similarly:

[In Touch Weekly](#) [3/11/2019 10:43 AM, Lex Briscuso, 94K]

[Pop Culture](#) [3/11/2019 10:25 AM, Libby Birk, 109K]

## **Policy and Legislative News**

### **White House Proposes \$4.7 Trillion Budget for Fiscal 2020**

[Wall Street Journal](#) [3/11/2019 9:20 PM, Kate Davidson] reports the White House released a \$4.7 trillion budget Monday that proposed sharply reducing spending on safety-net and many discretionary government programs, while boosting defense and border-protection funding, in a plan that also projected a long run of continued deficits. While the new budget isn't likely to become law—Congress ultimately writes spending bills that the White House can approve—it lays out an executive branch vision for government. In all, the president's plan would widen the federal budget deficit to \$1.1 trillion in the next fiscal year, which begins Oct. 1. It says that partly based on growth assumptions much faster than many independent forecasters expect, the federal budget would be balanced by 2034. A lightning rod in the plan is a request for \$8.6 billion for new barriers along the southern U.S. border, including \$5 billion for the Department of Homeland Security and \$3.6 billion for the Defense Department's military-construction budget. The president's blueprint would also provide additional funding to boost manpower at Immigration and Customs Enforcement and Customs and Border Protection, and it proposes policy changes to end so-called sanctuary cities.

Reported similarly:

[Washington Post](#) [3/11/2019 4:00 PM, Damian Paletta, Erica Werner and Jeff Stein]

[New York Times](#) [3/11/2019 4:00 PM, Jim Tankersley and Michael Tackett, NY]

[Bloomberg](#) [3/11/2019 11:23 AM, Erik Wasson and Justin Sink]

[Bloomberg](#) [3/11/2019 4:38 PM, Jack Fitzpatrick]

[Bloomberg Law](#) [3/11/2019 11:27 AM, Jacob Rund, 13K]

[Politico](#) [3/11/2019 5:10 PM, Jennifer Scholtes, 2577K]

[FOX News](#) [3/11/2019 11:52 AM, Brooke Singman and Gregg Re, 9216K]

[USA Today](#) [3/11/2019 5:58 PM, John Fritze]

[The White House](#) [3/11/2019 12:18 PM, President Donald J. Trump, 437K]

[The White House](#) [3/11/2019 2:29 PM, President Donald J. Trump, 437K]

[Breitbart](#) [3/11/2019 2:30 PM, Michelle Moons, 2015K]

[Eyewitness News](#) [3/11/2019 1:57 PM, Donna Borak, 38K, CT]

### **Homan: Border Funding Battle Comes Down to Dems 'Resisting and Hating This President'**

[FOX News](#) [3/11/2019 9:55 AM, Staff] reports former Acting ICE Director Tom Homan said Democrats are playing politics and ignoring facts on border security because they don't want to give President Trump a win. He pointed to disturbing figures from U.S. Customs and Border Protection, which show more than 178,000 people traveling as families are expected to enter the U.S. in some capacity between March and May – compared to less than 46,000 during that same period last year. An estimated 51,000 to 58,000 people traveling as family units are projected to enter the U.S. this month, with that figure rising as high as 70,000 in May. "There's no consequence. There's no deterrent. Congress hasn't closed the loopholes enticing them to come," Homan said on "Fox & Friends" Monday. He said Democrats do not want to address the problem, however, because if Trump solves the crisis at the border, it would be "terrible" for them politically heading into the 2020 election. As for Trump's reported request for \$8.6 billion in new border wall funding from Congress as part of the White House's upcoming budget proposal for the next fiscal year, Homan is not optimistic about any significant Democratic support. "This is all about [a] political stance against the president," Homan said. "This is about resisting and hating this president more than taking responsibility to secure the border. They know there's a problem. You can't deny that there's a problem." [Editorial note: consult source link for video]

### **Border officials gearing up for record number of migrants traveling as families to try to enter US**

[FOX News](#) [3/11/2019 7:55 AM, Greg Norman, 9216K] reports the U.S. government is gearing up for a record number of migrants traveling to America as families either cross its southern border illegally or claim asylum at a port of entry this year, a senior Homeland Security official told Fox News on Monday. That revelation comes on the heels of a Wall Street Journal report that cites an internal Customs and Border Protection document as saying that 178,000 people traveling as families are expected to enter the U.S. in some capacity between March and May -- compared to less than 46,000 during that same period last year. The senior official told Fox News an estimated 51,000 to 58,000 people traveling as family units are projected to enter the U.S. this month, with that figure rising as high as 70,000 in May. Just a few weeks ago, Mexican Secretary of the Interior Olga Sanchez Cordero told the Migration Policy Institute in Washington that she believes as many as 700,000 people from a group of Central American countries known as the Northern Triangle will pass through Mexico's southern border, with many continuing on to try and reach the U.S. People from those three countries -- Guatemala, Honduras and El Salvador -- have generated international media attention in recent years for their bids to enter the U.S. via so-called caravans.

### **Border Patrol diverted \$45M in operations budget to cover migrant healthcare costs**

[Washington Examiner](#) [3/11/2019 3:34 PM, Anna Giaritelli, 629K, DC] reports the Department of Homeland Security, the agency tasked with caring for undocumented immigrants immediately after they are apprehended, has diverted \$45 million in operational funds to go toward medical costs over the past five years, according to data obtained by the Washington Examiner. The U.S. Border Patrol has diverted \$9 million in operational funding in fiscal year 2019, as it has done in each of the four previous years, to instead cover medical screenings and related services for thousands of immigrants. Border Patrol began transferring the money at the beginning of fiscal year 2015, just as record-high numbers of unaccompanied minors were arriving at the southern border. The Border Patrol, part of Customs and Border Protection, entered into a Medical Services Blanket Purchase Agreement with a contract medical provider in fiscal 2015. The agreement included screenings and referrals to specialists when necessary. Patients who needed additional medical help were sent to a local medical treatment facility, which was included in the \$9 million.

### **A Huge Reduction In Troops At The Border Could Happen Quickly**

[The Daily Caller](#) [3/11/2019 12:40 PM, Jason Hopkins, DC] reports a Pentagon spokesman revealed that the number of U.S. troops deployed at the southern border could be cut in half by the end of March. There were roughly 4,000 troops placed on the U.S.-Mexico border as of early March. Around 1,100 are currently assisting with work on mobile surveillance cameras, another 1,850 are assisting Customs and Border Protection (CBP) in California and Arizona with concertina wire installation, and the other 1,000 are a mix of logistical units and quick response force personnel. However, the troops dedicated to setting up the circular barbed wire — which is being placed across 140 miles of the southwestern portion of the border — will complete their mission by March 31. "If the mission gets done and then the CBP doesn't identify new requirements they might need, then we may see a new decrease," stated U.S. Northern Command spokesman Army Maj. Mark Lazane, according to the Washington Examiner. "Being that we're in support of CBP, we're always looking to CBP."

### **The U.S. Targeted Journalists on the Border. Two Senators Want to Know Why.**

[The Intercept](#) [3/11/2019 6:00 PM, Ryan Devereaux, 500K] reports that there were nearly a dozen categories of individuals catalogued in the government's secret list of border troublemakers. The documents, provided by a Department of Homeland Security whistleblower, confirmed and advanced, in critical ways, the evolving story of joint U.S. and Mexican government intelligence-gathering operations on the border - though key questions remain. In a bipartisan letter released Monday, Sens. Ron Wyden and Chuck Grassley called on U.S. Customs and Border Protection Commissioner Kevin McAleenan to provide an unclassified briefing on the operations by Thursday. The senators, who head the U.S. Senate Committee on Finance, which oversees CBP, expressed particular concern about the press freedom issues at play. "Unless CBP had reason to believe the individuals in question were inciting violence or physical conflict, it is deeply concerning that CBP appears to have targeted American journalists at our borders," they wrote. The public now knows that the border dragnet was broad-based and binational. It involved each of the major agencies of the U.S. border security apparatus - Customs and Border Protection, Immigration and Customs Enforcement, and the Border Patrol - working with Mexican counterparts and the FBI, under the umbrella of the controversial joint DHS-Pentagon border initiative known as Operation Secure Line, which the Trump administration initiated in the run-up to the 2018 midterms. CBP has said that its Office of Professional Responsibility has opened an inquiry into the reports.

### **America Ferrera leads Tijuana migrant shelter visit, calls for changes to U.S. asylum policy**

[NBC News](#) [3/11/2019 12:36 PM, Nicole Acevedo, 4061K] reports actress America Ferrera and a group of actors and activists have spoken out against the Trump administration policy requiring migrants seeking asylum in the United States to have to wait in Mexico instead. The actress led a group including Gina Rodríguez, Eva Longoria, Kerry Washington, Kendrick Sampson and Roselyn Sánchez to a shelter in Tijuana, Mexico, across the border from San Diego. The group met with immigration lawyers and shelter managers, spent time with children and listened to families detail their journeys from Central America through Mexico seeking asylum. "It is easy for me to look at these human beings and see myself," Ferrera told the Associated Press about the visit on Sunday. "This could very easily have been my reality in this lifetime," said the actress, whose family is originally from Honduras. Under the policy enacted by the Trump administration, U.S. border agents process only a handful of asylum requests per day. Even those who file for asylum are not allowed to wait in the U.S. while their immigration case is pending; they have remain in Mexico until the process is fully over, which could take months or years. The slow process has clogged the U.S. immigration system by creating case backlogs and overcrowding shelters in Mexican border towns.

### **Senate panel approves Trump's nominee to lead ICE**

[CNN](#) [3/11/2019 8:07 PM, Geneva Sands and Priscilla Alvarez] reports that Immigration and Customs Enforcement is one step closer to having a permanent director after a Senate panel voted 7-5 on Monday to move the nomination of Ron Vitiello to a floor vote. In November, the Senate Homeland Security Committee delayed a vote on Vitiello's nomination to lead the nation's immigration enforcement agency amid criticism of personal tweets and the Trump administration's controversial "zero tolerance" policy. The head of the National Immigration and Customs Enforcement Council, Chris Crane, raised concerns about Vitiello's decision to prohibit union officials from performing agency duties and his

management of protests at the ICE office in Portland, Oregon -- which began before Vitiello assumed his acting role -- along with his personal tweets. At the time, Homeland Security Chairman Ron Johnson, R-Wisconsin, said "serious issues" had been raised and needed to be answered. After the new Congress came into office in January, another committee vote for Vitiello was scheduled in mid-February but subsequently postponed. Johnson said the committee had decided to "hold over the ICE director nomination" because of continued issues, but would not elaborate. In a letter to the top Republican and Democrat on the committee, the union chief outlined a series of concerns, including accusations that Vitiello had prevented employees from performing their official duties. President Donald Trump nominated Vitiello, who's been leading ICE in an acting capacity since late June, to head the agency in August. Vitiello previously served as chief of the US Border Patrol and acting deputy commissioner of Customs and Border Protection.

Reported similarly:

[Washington Examiner](#) [3/11/2019 7:18 PM, Anna Giaritelli, 629K, DC]  
[Law360](#) [3/11/2019 10:22 PM, Suzanne Monyak]

**[CT] Undocumented Immigrants In Conn. Attest To Police Cooperation With ICE**

[WSHU Public Radio](#) [3/11/2019 4:32 PM, Ebong Udoma, 3K, CT] reports a number of undocumented immigrants testified before Connecticut lawmakers on Friday in support of legislation to tighten state laws that prohibit local law enforcement from collaborating with ICE. Speaking through an interpreter, Cristhian Cozayatl of New Haven said he was involved in a minor car accident on I-91, and the state trooper who responded called ICE. David McGuire of the ACLU of Connecticut argues that federal law does not require state troopers to do that. "The idea was to prevent law enforcement from collaborating with Immigration and Customs Enforcement, specifically focused on the detention and transportation of folks that ICE wanted to pick up." Republicans on the committee argue that the new legislation is unnecessary. They say immigration policy should be handled by the federal government. [Editorial note: consult source link for audio]

**[NY] Report Says ICE Surveilled Pro-Immigrant Protests and Anti-Trump Events**

[Fusion](#) [3/11/2019 2:24 PM, Staff] reports a new report is suggesting that ICE surveilled pro-immigrant protests and anti-Trump events. Now activists and even one New York Congressman are speaking out. It was revealed that ICE kept tabs on several pro-immigrant protestors and rallies against President Donald Trump in New York City. The magazine The Nation reported it obtained documents indicating that some marches and even a vigil by Democratic Congressman Adriano Espaillat against the white supremacist group were also monitored. An email sent by Homeland Security Investigations, which is part of ICE, to at least one supervisor indicated details of a dozen protests from late July through mid-August last year. Rachael Yong Yow, a spokeswoman from ICE, said in a statement that "the referenced email was provided to Homeland Security Investigations agents for situational awareness." [Editorial note: consult source link for video]

**[NJ] Essex County leader gives top aide \$45K salary increase to handle illegal immigration program**

[NJ.com](#) [3/11/2019 9:44 AM, Ted Sherman, NJ] reports the political appointee who oversees the Essex County's troubled detention program for unauthorized immigrants has been getting a significant boost in pay each year, atop his six-figure salary, for managing the county's lucrative contract with U.S. Immigration and Customs Enforcement. Records



show Philip Alagia, the top aide to Essex County Executive Joseph DiVincenzo, is currently being paid an additional \$45,900 a year to keep tabs on the troubled detention program, which has come under scathing criticism by federal inspectors. And those bonus payments have increased substantially over the past five years. DiVincenzo announced the creation of the additional position of County Director of ICE Programs in 2011, naming Alagia to the job and adding \$30,000 to his then-\$108,645 salary. A spokesman for DiVincenzo said that before he was assigned to oversee the ICE program, Alagia was spending much of his time working on issues related to the Essex County Correctional Facility and Essex County Juvenile Detention Facility. That program, meanwhile, has been blasted by the Department of Homeland Security's inspector general. In a report last month, the department called for an immediate and full review of the Essex County Correctional Facility and the Essex County Department of Corrections' management of the facility. Faced with violations of federal detention standards that inspectors said to represent "significant threats to detainee health and safety," the county now faces financial penalties that could result in fines of up to 5 percent of what Essex bills ICE to detain thousands of immigrants at the jail each year. "The Essex County Correctional Facility is held accountable, through various contract oversight measures, for full compliance with the terms of their Intergovernmental Service Agreement," said ICE Enforcement and Removal Operations in a statement.

**[NC] Undocumented immigration is falling nationally, but it's up in Charlotte. Here's why.**

[South Carolina State](#) [3/11/2019 5:33 PM, Teo Armus, 82K, SC] reports as the number of immigrants living illegally in the U.S. continues to decline, Charlotte has gone in the opposite direction. About 100,000 unauthorized immigrants were living in the Charlotte metro area in 2016, according to a Pew Research Center report published on Monday. That figure which includes Concord and Gastonia residents increased by about 20,000 since 2007, putting unauthorized immigrants at about 4 percent of the region's total population. Nationally, it makes Charlotte one of the 20 U.S. metro areas with the highest number of unauthorized immigrants, as city officials contend with calls to better serve the city's immigrant population as a whole. "You've got an infrastructure now," Owen Furueth, professor emeritus at UNC Charlotte said. "Charlotte as an attractive place for immigrants is still salient, still important." The city's unauthorized population has been at the center of some of Charlotte's most notable political fights in recent months, as Sheriff Garry McFadden ended his office's policy of collaborating with Immigration and Customs Enforcement. In response the federal agency said it had "no choice" but to ramp up arrests of those immigrants here illegally.

**[TN] Lawmaker files series of bills so Tennessee will be 'last place illegal aliens want to go'**

[FOX 17](#) [3/11/2019 2:05 PM, Kaylin Jorge, 39K, TN] reports a Tennessee representative has filed a series of bills aimed at decreasing illegal immigration to Tennessee and addressing the issue of illegal aliens already living and working in the Volunteer State. Rep. Bruce Griffey is proposing the legislation to curb what he said is a major problem in Tennessee and beyond. "I want to make Tennessee be the very last place that illegal aliens want to come and all of bills seek to do just that," Griffey said. HB0614, or the Tennessee Lawful Housing Act, would make it against the law to rent, sublet, lease or sublease a residence to an illegal alien. Griffey cites an ordinance in Fremont, Nebraska which does this very thing and was upheld by the U.S. Court of Appeals for the Eighth Circuit. HB1239 calls for businesses to E-Verify employment status. Currently, Griffey says private

businesses with 50 or more employees must use E-Verify. The bill would expand this to say that private businesses with 6 or more employees, as well as all government agencies, use E-Verify confirm someone's work eligibility. HB0662 would prevent Tennessee from registering birth certificates issued to "to any child born to a mother who is not lawfully present in the United States unless the father is a U.S. citizen and provides proof of citizenship; a sworn acknowledgement of paternity; and a written agreement to provide financial support to the child until the child is 18 years old." HB1238 would require all Tennessee courts to question if the immigration status of a defendant. If the defendant admits they are in the U.S. illegally or refuses to respond, the court would deem them as a "flight risk." Griffey wants the state to issue a resolution, HJR47, supporting President Donald J. Trump's views on ending birthright citizenship. "Illegal immigration is of major concern to the majority of citizens of the State of Tennessee, as it threatens the security and safety of all United States citizens and legal residents and has become a huge financial burden on state and local taxpayers." Finally, HB0562 would impose fees on money transfers from Tennessee to outside the U.S. for those who can't present a Tennessee driver's license. The fees would "fund the southern border wall proposed by Trump; and compensate county jail facilities for holding criminal defendants on ICE detainer warrants."

#### **[FL] Sheriffs look at options amid DeSantis immigration push**

[News4 JAX](#) [3/11/2019 6:46 PM, Dara Kam, FL] reports Gov. Ron DeSantis is pushing more Florida sheriffs to cooperate with the federal government to keep potentially deportable criminals behind bars until they're handed off to immigration agents. Following the governor's lead, the state Senate is moving forward with a proposal that would require state and local law-enforcement agencies to "use best efforts to support the enforcement of federal immigration law." The Senate measure (SB 168), which has become known as the sanctuary-city bill, is aimed at forcing local officials to honor requests from the federal government, known as "immigration detainers," that ask law enforcement agencies to hold people believed to be "a removable alien under federal immigration law." Thirty-seven of the state's 67 sheriffs currently have some sort of agreement with U.S. Immigration and Customs Enforcement that allows the local officials to keep locked up individuals who may be eligible for deportation until ICE agents can pick the people up or until they can be transported to federal immigration detention facilities. Late last month, DeSantis, who campaigned on a hard-line immigration stance, urged the state's sheriffs to join a handful of their colleagues participating in the "287(g) program," named after a section in a federal immigration law, that allows them to train and authorize personnel to identify and process undocumented immigrants. Because of the extensive training involved, ICE does not have the resources to expand the 287(g) program statewide, said Pinellas County Sheriff Bob Gualtieri. Gualtieri, a lawyer, is encouraging sheriffs to consider other, less burdensome options to bolster the state's cooperation with ICE.

#### **[FL] Democrats say 'sanctuary cities' ban creates problem it claims to avoid**

[Florida Politics](#) [3/11/2019 1:35 PM, Jacob Ogles, 15K, FL] reports that Democratic lawmakers say Florida has no sanctuary cities, but Republicans might create them by passing a supposed ban. Lawmakers from the House and Senate stood alongside immigrant families and advocates to decry a bill proposed by Sen. Joe Gruters, a Sarasota Republican. The bill sponsor, who attended the press conference to hear criticism first-hand, has called the ban his top priority of the legislative session. The lawmakers also shared a podium with Natalie Charco, a Florida State University student whose parents are undocumented. Charco right now is a recipient of the Deferred Action for Childhood Arrivals

program. Her father has been stopped before and cited for driving without a license. If that happens again, he could be brought in on a felony charge, which he frets will trigger an Immigration and Customs Enforcement detainer. "SB 168 imposes so much fear in communities," Charco said. "A broken tail-light can lead to separating families." Rep. Carlos Guillermo Smith, an Orlando Democrat, said the idea Florida should crack down on immigrants flies in the face of Republican positions on the ending the Nicolás Maduro regime in Venezuela. Notably, a number of Florida federal leaders have advocate for granting Temporary Protected Status to Venezuelan refugees fleeing that regime. Democrats also presented the legislation as a violation of home rule. The jurisdiction for five years had a policy criticized as a sanctuary position. Gruters' bill will require all jurisdictions to hold individuals for up to 48 hours if ICE has a detainer on them.

[WFSU Public Media](#) [3/11/2019 5:28 PM, Ryan Dailey, 5K, FL] reports Republican Senator Joe Gruters says his bill, which also has a House companion, is about following the rule of law. "This bill has nothing to do with immigration policy itself, it's just making sure that local governments cooperate with federal immigration authorities and laws," Gruters said. "And what it really comes down to is, Florida doesn't have a definition of what a sanctuary jurisdiction is." Gruters says the measure puts in place that definition, and prevents local officials and law enforcement from blocking cooperation with U.S. Immigration and Customs Enforcement, or ICE. "This bill only comes into play if you're in the judicial process -- if you get arrested, if you get processed." The Sarasota Republican insists that means only people committing crimes, who represent a threat to society, will be ensnared.

Additional reporting:

[Orlando Sentinel](#) [3/11/2019 1:31 PM, Gray Rohrer, 170K, FL]

[Southwest Florida Herald Tribune](#) [3/11/2019 2:57 PM, Zac Anderson, 43K, FL]

### **[IL] Illinois legislation would ban landlords from reporting tenants to immigration officials**

[WQAD 8](#) [3/11/2019 8:37 AM, Staff, IL] reports Illinois lawmakers are debating restrictions on whether a landlord can report a tenant who is living in the country illegally to authorities. State Sen. Christina Castro's legislation was vetoed last year by Gov. Bruce Rauner. In his veto message, Rauner said the bill would violate U.S. laws about blocking federal agencies. If passed into law, Castro's bill would allow a tenant to sue the landlord for up to \$2,000 in civil court. She said the aim of the bill was to give immigrants a shield from discrimination. Sen. Dale Righter, R-Mattoon, said the bill entirely blocks landlords from reporting illegal immigrants to the authorities. The bill now awaits House consideration. California has a law that prohibits landlords from asking tenants about their immigration status. There's an effort in Washington D.C. to charge a landlord guilty of reporting a tenant to immigration with felony extortion.

### **[WI] Pocan: ICE stonewalling on records request regarding September raids**

[WKOW](#) [3/11/2019 2:32 PM, Staff, WI] reports U.S. Rep. Mark Pocan announced today he has received documents from Immigration and Customs Enforcement related to a series of raids throughout Wisconsin, but says the response is inadequate. ICE arrested 83 people across Wisconsin, including 20 in Dane County and five in Rock County from Sept. 21-24, 2018. On Sept. 28, 2018, after numerous attempts to contact the agency, Pocan met with ICE officials in his Washington, DC office to ask for information about the arrests and the agency's contact with local law enforcement. On October 12, 2018, after two weeks of

requesting information with no reply, Rep. Pocan submitted a request for information under the Freedom of Information Act. He finally received the information today, however, Pocan says much of the information he was looking for was missing or redacted. In a news release, Pocan said: The President claims ICE is deporting dangerous gang members, drug dealers, and human traffickers. But according to its own records, ICE is deporting members of our community with minor offenses or no criminal history. But according to data provided by ICE, at least 39 of the individuals arrested had no documented criminal history.

Reported similarly:

[U.S. News & World Report](#) [3/11/2019 4:30 PM, Associated Press]

[Capital Times](#) [3/11/2019 6:05 PM, Jessie Opoien, 122K, WI]

[FOX 47 Madison](#) [3/11/2019 4:48 PM, Amanda Quintana, WI]

[Wisconsin State Journal](#) [3/11/2019 3:06 PM, Mark Sommerhauser, 122K, WI]

### **[TX] At SXSW, the Pop-Up Abolish ICEbox Exhibits the Painful Conditions Asylum Seekers Face**

[Texas Monthly](#) [3/11/2019 1:50 PM, Cat Cardenas, TX] reports in downtown Austin, among dozens of SXSW showcases and pop-ups, sits a freezing-cold storage pod. It's not meant as a refuge from Texas heat. Instead, it's a snapshot of the U.S. immigration system and the chilly, crowded holding cells at Customs and Border Protection facilities. On display March 8 to 9, and returning March 15 to 16, the "Abolish ICEbox" is an attempt by the Refugee and Immigrant Center for Education and Legal Services to shed light on the conditions that asylum seekers face in detention centers. Artists Yocelyn Riojas and Gerardo Silguero worked on the exhibit alongside Ana Maria Rea, an education and community outreach specialist for RAICES. "We didn't want to create an immersive art exhibit. It's not meant to be something fun or cool to do at South by Southwest," Silguero said. "This is about the children and what they go through when they arrive at the border."

### **[CA] Bay Area Cambodians face deportation amid Trump administration crackdown**

[San Francisco Chronicle](#) [3/11/2019 6:39 PM, Tatiana Sanchez, CA] reports a group of Cambodian refugees in the Bay Area received summonses to show up to ICE in San Francisco this week, where they'll be detained and likely deported as part of a push by the Trump administration targeting immigrants with criminal records. At least eight local Cambodians were asked to report to deportation officers at ICE headquarters on Sansome Street on Wednesday, and dozens more are expected to be detained across the United States this month, according to local advocates. It's the latest round of these deportations, as ICE cracks down on Cambodian refugees who committed crimes years or even decades ago, often as teenagers, that cost them their green cards and put them on a track to deportation. In the past, immigrants in this situation have been allowed to stay in the United States, but the Trump administration has been pressing Cambodia and a handful of other uncooperative countries to take back their deportees. ICE has said every country has a legal obligation to accept the return of its citizens when they are removed from other countries. Federal law allows immigrants slated for deportation to present their case before an immigration judge, the agency said. There were 1,855 Cambodian nationals with a final removal order living in the U.S. as of September, according to ICE. Of those, 1,362 were convicted criminals.

A U.S. district judge in January issued a temporary restraining order through May that requires ICE to give at least two weeks' written notice to anyone slated for deportation.

Cambodia in 2002 signed a repatriation agreement with the United States that allowed for a certain number of Cambodian immigrants to be deported each year, though the country refused to take them back. But Trump in 2017 imposed visa sanctions on Cambodia, and Phnom Penh began taking in Cambodian nationals in even larger numbers than before. ICE deported 110 Cambodians in fiscal 2018, compared with 29 in fiscal 2017, according to data provided by the agency.

### **[CA] Gov. Newsom Bashes Trump's Border Wall, Says California Won't 'Turn Its Back' On Asylum Seekers**

[CBS Los Angeles](#) [3/12/2019 11:12 PM, Staff, 147K, CA] reports that Governor Gavin Newsom criticized President Donald Trump on a variety of hot-button issues, including the border wall. In referring to the president's attempts to spend billions of dollars on building the border wall, Newsom said it's a distraction to steer away from more substantive solutions to the immigration problem. Newsom defended a \$25 million proposed California program to assist asylum seekers who cross the border into the state because he affirms the federal government isn't doing its job. "The federal government turns its back to them, turns a blind eye to them. California will not. They won't do their job, we'll do their job," he said. The governor still insists he wants to work with the president on emergency preparedness and emergency planning. Newsom added that he won't tolerate Trump continuing his attacks on California. [Editorial note: consult source link for video]

### **[HI] Could Hawaii be a second sanctuary state for tax-paying undocumented immigrants?**

[KITV 4](#) [3/11/2019 10:04 AM, Staff, HI] reports lawmakers are pushing a bill that would make Hawai'i a second sanctuary state for tax-paying undocumented immigrants. Senate bill 557 is said to protect immigrants with no criminal convictions. It would also give local law enforcement agencies the option to not cooperate with federal immigration authorities. The measure was introduced by Senator Karl Rhoads, and has been referred to House committees.

## **Legal News**

### **Families Separated At Border In 2017 Added To Class Action**

[Law360](#) [3/11/2019 4:59 PM, Suzanne Monyak] reports a California federal judge has expanded a class of parents whose children were taken from them at the southwestern border to include families separated as early as July 2017, weeks after a government watchdog report revealed that potentially thousands more children may have been separated before the Trump administration announced its enforcement policy. In an order late Friday, U.S. District Judge Dana Sabraw agreed to modify the certified class — which initially only included parents whose minor children either were or will be in government custody as of or after June 26, 2018 — to additionally include parents who entered the U.S. after July 1, 2017, whose minor children are, will be, or had been previously in government custody. The order stems from a class action, initially filed by the ACLU in early 2018, challenging the Trump administration's practice of separating families at the U.S.-Mexico border as part of a "zero-tolerance" policy on unauthorized border crossings. The federal government ultimately concluded that there were about 2,800 migrant children whose parents were potential class members, according to court filings, and in a July joint status report, the government told the court that it had reunited more than 1,800 of those children,



while hundreds of others were ineligible for reunification.

The federal government said that the expanded class definition requested "would make it nearly impossible to ascertain the class with any level of certainty." HHS officials reiterated this stance at a House oversight hearing last month that the agency would not be able to track the number of children who had been separated from their parents by immigration authorities but were no longer in Human Services' Office of Refugee Resettlement custody as of the June preliminary injunction order. The officials also confirmed at that hearing that immigration authorities were still separating families at the border at an elevated rate and that the U.S. Department of Homeland Security was not providing the agency with enough information about those ongoing separations. In Friday's order, Judge Sabraw stayed the June preliminary injunction as to the new class members, but posited that other remedies could be available, including identifying all of the children subjected to the family separation practice and a declaration that the practice was illegal. The judge told the parties to "be prepared to address these issues" in the next joint status report, which is due March 27.

Reported similarly: [VOX](#) [3/11/2019 11:50 AM, Dara Lind]

**[MA] Man Accused Of Involvement In Rwandan Genocide In Boston Federal Court**  
[WBZ Boston](#) [3/11/2019 4:13 PM, Staff, MA] reports a Rwandan medical student from Revere headed to federal court in Boston Monday. Jean Leonard Teganya is accused of trying to pass himself off as a political refugee when he illegally entered the United States from Canada in 2014, 20 years after the Rwandan genocide. Teganya was a student at a teaching hospital in Butare in 1994 when prosecutors say he identified Tutsi patients to Hutu soldiers to be killed. Teganya is accused of lying under oath about his participation in the Rwandan political party that was behind the genocide. Under federal law, anyone who takes part in genocide is denied asylum.

## Enforcement News

### ICE Detained More Than 50,000 Immigrants In 2019

[WLTZ](#) [3/11/2019 1:55 PM, Staff, 1K, GA] reports the average number of detainees in Immigration and Customs Enforcement custody hit a record-high this year. An ICE official says there were more than 50,000 individuals in custody as of Wednesday. ICE says that two days earlier, the average number of detainees was about 46,500 which was the highest on record since ICE began in 2003. According to ICE, last fiscal year the average number of detainees in custody per day was roughly 42,000. An ICE spokesperson says custody determinations are made on a case-by-case basis, in accordance with law and policy.

### DHS Continues Busing Border Crossers, Illegal Aliens into U.S. for Release

[Breitbart](#) [3/11/2019 6:18 PM, John Binder, 2015K] reports that the Department of Homeland Security is continuing to bus border crossers and illegal aliens into the United States in order to release them into the interior of the country. Local media reports out of Phoenix, Arizona last week reveal that federal immigration officials continue to carry out the country's Catch and Release policy, whereby border crossers are released into the U.S. while they await their immigration and asylum hearings. In Phoenix, about 50 border crossers and illegal aliens were dropped off by federal immigration officials at a Greyhound bus station where they were subsequently allowed into the country with only the promise

that they will show up to their immigration hearings. Last month, a busload of border crossers and illegal aliens were also dropped off at a bus station after being released in Phoenix by federal immigration officials. President Trump most recently expanded the Catch and Release program and decreased the number of border crossers that federal immigration officials can detain. The expansion of Catch and Release means that single adults crossing the U.S.-Mexico border now have a greater likelihood of being released into the country after briefly being detained by DHS officials.

### **More than 2,000 people in ICE custody quarantined for contagious diseases**

[CNN](#) [3/11/2019 5:14 PM, Geneva Sands, Michelle Lou, and Susan Scutti] reports more than 2,000 people in Immigration and Customs Enforcement custody are being quarantined amid an outbreak of mumps and other diseases. The numbers of immigrants in custody with a contagious diseases has spiked in the past year. For the previous two years, the agency has not encountered a single case of mumps among its detainees. "As of March 7, 2019, there was a total of 2,287 detainees cohorted for exposure to a detainee with a contagious condition," said ICE spokesperson Brendan Raedy in a statement. In the past 12 months, there have been health investigations at 51 ICE detention facilities for mumps, chickenpox and influenza, according to Raedy. There have been 236 reported cases of mumps, with another 16 suspected cases during this time period. Mumps is a contagious virus that is typically spread through saliva and mucus. Last year, there were 423 people documented with influenza and 461 people with chickenpox in ICE custody, according to the agency "ICE takes very seriously the health, safety and welfare of those in our care. ICE is committed to ensuring the welfare of all those in the agency's custody, including providing access to necessary and appropriate medical care," Raedy said in a statement. Last week, Texas officials announced that nearly 200 people at immigration detention facilities across the state had contracted mumps since October. "They should be in isolation," said Dr. David Persse, of Houston's public health authority last week. Persse urged ICE start isolating people who show mumps symptoms and quarantine people who may have been infected. Migrants who cross the border illegally are generally transferred from Border Protection custody to ICE custody for further processing or release. ICE said that comprehensive medical care is provided to everyone in custody, including access to nurses, physicians, and to 24-hour emergency care.

Reported similarly: [Huffington Post](#) [3/11/2019 11:30 PM, Sanjana Karanth, 6834K]

### **[NY] ICE arrests thwarted by Hudson immigrant advocates**

[Times Union](#) [3/11/2019 7:36 PM, Mallory Moench, NY] reports immigration activists thwarted an attempt by federal immigration officers to arrest two undocumented residents last week. U.S. Immigration and Customs Enforcement deportation officers stopped Bryan MacCormack, executive director of the Columbia County Sanctuary Movement, on Tuesday, March 5, while he was driving away from the Hudson City Court with two undocumented immigrants in his car. The undocumented passengers are from Central America and have lived in the Hudson area for years, MacCormack said. They had been in court that morning for traffic-related offenses. According to MacCormack, three ICE agents surrounded the car and asked him and his passengers for identification. The ICE agents showed an administrative arrest warrant that named the two community members. MacCormack said that he argued that ICE agents needed a judicial warrant, signed by a judge, and refused to comply. MacCormack called his attorney. ICE called Hudson Police. Hudson Police Chief Edward Moore said he sent two cars after an ICE agent called just

before 9 a.m. and reported he was meeting resistance from MacCormack and his passengers. MacCormack's attorney also showed up on the scene and reiterated ICE needed a judicial warrant to enter the car. City police watched the situation at a distance for nine minutes, Moore said, before ICE let them know that they were not conducting arrests and left.

ICE spokesman Khaalid Walls said ICE officers departed the scene to avoid further disruption. "Individuals who intervene in or seek to impede ICE officers while they are carrying out their mission recklessly endanger not only the enforcement personnel, but also the individuals targeted for arrest and potentially innocent bystanders," he wrote in an email. "Despite these attempts to obstruct ICE's lawful efforts to apprehend criminal aliens and immigration violators, the agency remains committed to its efforts to uphold public safety." MacCormack accused Hudson police of collaborating with ICE in violation of an executive order issued by the city's police commissioner and mayor in May 2017. Chief Moore denied working with ICE and said police responded to the call to protect public safety. MacCormack, police and elected officials met Friday to discuss the incident and the executive order. For now, MacCormack said, the two immigrants targeted by ICE during the traffic stop are staying in an interfaith sanctuary.

**[NC] 'My faith has gotten stronger.' Four months after ICE arrest, supporters speak out.**

[Raleigh News & Observer](#) [3/11/2019 1:23 PM, Josh Shaffer and Simone Jasper, 153K, NC] reports more than 50 people rallied Monday in support of Samuel Oliver-Bruno, a Durham father who was deported to Mexico after taking sanctuary in a church basement. Supporters included 27 people who blocked a U.S. Immigration and Customs Enforcement van during Oliver-Bruno's arrest last fall. They called Monday for his return, for ICE to be abolished and for the Wake County district attorney to drop the charges against them. After the rally, a judge moved their court dates to April. Oliver-Bruno, 47, had been living in the basement of CityWell for 11 months while he petitioned to have his deportation to Mexico delayed. U.S. Citizenship and Immigration Services asked Oliver-Bruno in November to appear in person to provide fingerprints, a necessary step for his petition. He was arrested when he left for the appointment and was deported from the United States about one week later. During the arrest, "27 persons with courage formed a fence asking for ICE to leave Samuel alone," Maria Jimenez of Comité de Acción Popular said in Spanish during the rally Monday. Before entering the Wake County Justice Center, the 27 defendants linked arms and read a list of principles, including their belief that ICE tactics are incompatible with human rights. Oliver-Bruno's 19-year-old son Daniel said his father suffers from diabetes and does not have medication in Mexico. "The officers who tore my family apart believe they have won," said Daniel Oliver Perez. "But they have not. My faith has gotten stronger." [Editorial note: consult source link for video]

Reported similarly:

[Raleigh News & Observer](#) [3/11/2019 1:06 PM, Staff, 153K, NC]  
[WTVD Raleigh Durham](#) [3/11/2019 12:29 PM, Ana Rivera, 4K, NC]  
[WLOS](#) [3/11/2019 6:10 PM, Kristy Kepley-Steward, NC]  
[WRAL](#) [3/11/2019 10:41 PM, Sloane Heffernan, 388K, NC]

**[MO] Mother detained by ICE has deportation order halted**

[FOX 2 Now](#) [3/11/2019 9:55 PM, Chris Regnier and Chris Smith, MO] reports that Ilsa Guzman-Fajardo's deportation order has been halted by a judge. Guzman was facing deportation, and now an immigration hearing set for Thursday, March 14th on the legality of her detention. Guzman has been in custody in Southern Illinois at the Pulaski County Detention Center. Guzman is married to a U.S. citizen Steve Miller and has an 18-year-old who is also a U.S. citizen in the St. Louis area. Her troubles began February when she was summoned to meeting with Immigration and Customs Enforcement in downtown St. Louis where she was taken into custody for a deportation order on file with the department. Guzman came to the United States in 1999 after crossing illegally at the San Ysidro, California checkpoint where she applied for applied for asylum. Since then she has been living in the St. Louis area, working and raising her son. Over the years Guzman has kept in contact with immigration, but in 2014 she was contacted at her job by ICE and told that a deportation order that was filed against her from a missed immigration court date.

Reported similarly: [KMOV](#) [3/11/2019 7:49 PM, Staff, 66K, MO]

**[IL] Dwight Village Board voting Monday on proposed immigration detention facility**  
[25 News-Week](#) [3/11/2019 11:34 AM, Staff, 10K, IL] reports the Dwight Village Board is expected to vote Monday on a controversial proposed immigration detention center. The board will vote on annexing 86 acres of land to the Livingston County village of 4,200 people and approving a plan for an Immigration and Customs Enforcement detention center, run by the private company Immigrations Center of America. The 1,200 bed facility would employ nearly 300 people in the community, which lost the state women's prison Dwight Correctional Center in 2013. The village's planning commission approved plans for the detention center last month. The village board deferred a vote on the proposal until March, when ICA's attorneys could be present. The proposed detention facility has drawn detractors and protesters from across the state, with groups from Bloomington-Normal, Peoria, Kankakee, Chicago and other communities across Central and Northern Illinois expected to attend Monday's meeting.

**[NM] Hundreds of migrants just arrived in Albuquerque after being released from ICE custody**

[KOAT](#) [3/11/2019 6:20 PM, Nancy Laffin, 20K, NM] reports that Target 7 learned hundreds of migrants just released from ICE custody have been bused from the Mexican border to Albuquerque, and more are likely arriving soon. A volunteer from a Catholic charity in El Paso says so many people are crossing the border seeking asylum, they've run out of room to house them there and Southern New Mexico. Now he says they are now busing migrants to Albuquerque. Father Vincent Chavez of St. Therese Catholic Parish in Albuquerque says they are making food for the nearly 300 migrants who arrived by bus Sunday. He says the migrants are from Guatemala, Honduras and El Salvador who will stay here until they are bused or flown to other states where families will sponsor them. [Editorial note: consult source link for video]

**[AZ] 750 people from Central America surrender to Yuma-area BP over weekend**

[Tucson Sentinel](#) [3/11/2019 2:55 PM, Paul Ingram, 3K, AZ] reports that almost 750 people, mostly families from Guatemala, waded through the Colorado River and crossed into the United States before surrendering to Yuma-area Border Patrol agents over the weekend, authorities said. The groups arrived just days after U.S. Customs and Border Protection announced new apprehension numbers which showed that in February, 66,450 people

were taken into custody — the largest number of people apprehended in a single month in 11 years. On Saturday and Sunday, dozens of small groups of people, numbering 20 to 30 people, crossed into the United States in an area near Yuma where the Morelos Dam diverts much of the Colorado River to the west, making the water shallow enough to cross, said Jose Garibay, a Border Patrol spokesman. Nearly three-quarters of the people were families, while the rest were either children traveling without parents or guardians, or single adults, Garibay said. Around 87 percent hailed from Guatemala, while the rest were from Mexico, Honduras, El Salvador or Ecuador, he said. During a press conference on Tuesday, CBP Commissioner Kevin McAleenan told reporters, "This increased flow presents currently at our highest levels in over a decade both a border security and a humanitarian crisis."

**[WA] Tacoma leaders to push members of Congress on immigrant detention**

[KNKX](#) [3/11/2019 8:00 AM, Will James, 7K, WA] reports leaders of Tacoma, home to one of the nation's largest holding spaces for people facing deportation, plan to lobby members of Congress this week to reform the immigrant detention system. Mayor Victoria Woodards and several other City Council members are in Washington, D.C., for a meeting of the National League of Cities. While there, they plan to meet with federal representatives over concerns about the federal facility in Tacoma, said Alisa O'Hanlon, the city's government relations coordinator. Activists have pressured Tacoma's leaders to assert more authority over, or even close, the Northwest Detention Center, which houses up to 1,575 people who are suspected of immigration violations or seeking asylum. Those calls have grown louder during the Trump administration, as activists have packed City Council meetings, police have clashed with protesters outside the detention center, and detainees have staged hunger strikes to draw attention to conditions inside the facility. In November, a detainee died after attempting suicide, bringing new scrutiny to the detention center and prompting an internal investigation by officials at the Department of Homeland Security. The Northwest Detention Center -- the only facility of its kind in the Pacific Northwest -- is run by a private company, the GEO Group, under a contract with U.S. Immigration and Customs Enforcement, or ICE. Tacoma's leaders have said that they have little power to regulate the detention center on their own. Woodards has drafted a letter to members of Washington's congressional delegation outlining the City Council's wishes. They include "eliminating the profit motive to detain people," strengthening oversight of detention centers, and expanding alternatives to detention.

**{End of Report}**





# EOIR MORNING BRIEFING

U.S. Department of Justice  
Executive Office for Immigration Review  
By TechMIS

[Mobile User Copy and Searchable Archives](#)

**Wednesday, Mar. 13, 2019**

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## Executive Office for Immigration Review

### Trump's budget isn't just about the wall, it recognizes the full picture of the immigration crisis

[Washington Examiner](#) [3/12/2019 4:00 PM, Jason Piccolo, 629K, DC] reports President Trump's 2020 budget request calls for not only securing the border, but supporting the overburdened immigration court system as well. Every day, human traffic increases at the southwest border to the tune of more than 50,000 a month, according to Department of Homeland Security statistics. This massive migrant flow is overburdening the Executive Office of [for] Immigration Review that is already operating at critical mass. There were close to 187,000 immigration cases pending in 2009. In the following 10 years, this more than quadrupled by 2019, with 820,000 pending cases. The EOIR only employs 414 immigration judges to adjudicate these 820,000 cases, almost 2,000 cases per judge.

Trump's budget request calls for \$635 million for the EOIR alone, including "funding to hire an additional 100 immigration judge teams and expand both physical and virtual courtroom space to conduct administrative immigration hearings." This funding is not only critical to make even the smallest dent in the hearing backlog, but to enhance the ability of immigration judges to conduct virtual hearings. In December 2018, then-acting Attorney General Matthew Whitaker discussed the increase in asylum claims, saying in "2009, the Department of Homeland Security reviewed more than 5,000 initial asylum screenings. Within seven years, that number had increased to 94,000. The number of these aliens placed in immigration court proceedings went from fewer than 4,000 to more than 73,000 by 2016-nearly a 19-fold increase." Whitaker said, "over the last five years, only 20 percent of aliens have been granted asylum after a hearing before an immigration judge." The budget calls for funding more than the politicized wall, but for funding the critical areas within this overburdened immigration system.

**Joe Giudice to Report to Immigration Detention Center After Prison Release: Source People** [3/12/2019 2:32 PM, Jodi Guglielmi and Emily Strohm, 2648K] reports Joe Giudice won't be going home after he's released from prison. The Real Housewives of New Jersey star, 48, will be transferred directly to an immigration detention center after he is released from prison on Thursday, a source confirms to PEOPLE. According to the source, he will remain there indefinitely as he awaits his deportation ruling. Joe is serving a 41-month prison sentence for mail, wire and bankruptcy fraud that began in March 2016. His wife Teresa, 46, served a little over 11 months in prison herself for the same crimes and was released on Dec. 23, 2015. In October, an immigration court ruled to deport Joe to his native Italy after his prison sentence. He filed an appeal against the order in November, but a final decision has not yet been made.

Reported similarly: [Entertainment Tonight](#) [3/12/2019 4:08 PM, Zach Seemayer]

**[NY] Court Dates Moved Up Without Warning, Advocates for Immigrants Claim New York Law Journal** [3/12/2019 2:26 PM, Colby Hamilton, NY] reports public defenders representing detained immigrants due for appearances at the U.S. Department of Justice's Varick Street immigration court in Lower Manhattan say dozens of cases were unilaterally moved up on the hearing calendar without providing attorneys with notice or the chance to respond. According to the New York Immigrant Family Unity Project, which is made up of a trio of city public defender offices, at least 25 cases scheduled for later this year, some as far away as the summer, were discovered to have been rescheduled for as early as next week. The providers claim no one from the DOJ or the court reached out to inform attorneys of these changes. "The Executive Office for Immigration Review's unilateral decision to advance our detained clients' trial dates—without any prior notice or warning—is illegal, unacceptable, and a thinly veiled attempt to avoid true representation of immigrants in the court," the group said in a statement. "Re-calendaring cases so they are heard well before the scheduled trial date, with no notice or explanation, guarantees that attorneys will not be able to fully prepare and, in many situations, will not be able to obtain needed documentation for the trial." A spokesman for the DOJ's Executive Office for Immigration Review, Jonathan Martin, said in an email that, "EOIR prioritizes all detained cases." He then pointed to a January 2018 memo from EOIR Director James McHenry III that instructed immigration court judges and staff to prioritize the cases of "individuals in detention or custody, regardless of the custodian" for completion. "The designation of a category of cases as priority is an indication of an expectation that such cases should be

completed expeditiously and without undue delay consistent with due process," McHenry goes on to state in the memo.

### **[NY] Equipment Failure: New Data Shows Hundreds of Immigration Court Hearings Postponed Over Video Problems**

[Gothamist](#) [3/12/2019 5:15 PM, Beth Fertig, 226K, NY] reports hundreds of immigration court hearings have been canceled because of video malfunctions in New York City, according to data obtained by WNYC. Detained immigrants often see judges by video when they're held in remote locations, but last year a court on Varick Street in Manhattan switched to hearing cases through video technology. The immigrants who use that court are held in regional detention centers and were previously transported to Varick Street for in-person hearings. The change prompted a lawsuit by immigration attorneys, who claim the video equipment frequently breaks down and deprives their clients of due process. New data obtained through a Freedom of Information Act request appears to support their claim. A total of 316 hearings in New York were postponed in Fiscal Year 2018 due to video malfunctions, according to the Executive Office for Immigration Review, which runs the immigration courts. That's a big jump from a total of 12 postponements due to video malfunctions in the previous two fiscal years combined. A spokesman for EOIR said things are actually improving. John Martin said the agency "routinely monitors the effectiveness" of video teleconferencing. "The FOIA statistics suggest that video malfunctions at the New York City immigration courts are decreasing in FY 2019 compared to FY 2018," he added. The data shows 49 hearings were canceled due to technical problems from October 1st through the end of December, the first quarter of FY 2019. Immigration courts around the nation have been increasingly relying on video technology, promoting it as an efficiency measure. Last year, the government told WNYC that only around 800 of nearly 126,000 video hearings were postponed for technical problems. Our freedom of information request revealed there were actually more cancellations, totaling 1,090 nationwide. EOIR's Martin explained the discrepancy by noting the original number provided for FY 2018 did not include every type of hearing. Regardless, the new data show a huge spike in canceled hearings because there were only 403 adjournments due to video problems two years earlier.

## **Policy and Legislative News**

### **Senate to vote on wall emergency Thursday**

[Washington Times](#) [3/12/2019 11:30 AM, Stephen Dinan, 527K, DC] reports Senate Republicans have set a vote Thursday on the showdown over President Trump's border emergency wall-building declaration. Majority Leader Mitch McConnell announced the vote Tuesday after a GOP senators meeting. He said he, and most other Republicans, support the president's wall plans, but some of them question whether the emergency declaration and siphoning money from the Pentagon is the right way to go about it. "It'll all come to a head on Thursday," he said. "The clock runs and the vote will occur on Thursday." The vote is expected to succeed, with some Republicans joining Democrats to overturn the emergency declaration. The overturn already cleared the House, too. But Mr. Trump has vowed a veto, and there's not enough support to overturn that veto. The president is flexing the National Emergencies Act, a post-Watergate piece of legislation that gives the Executive Branch strong powers to rearrange money if the president declared an emergency is ongoing. Mr. Trump says such an emergency is taking place on the border, with record numbers of illegal immigrant families and children attempting to sneak into the

U.S. Some senators from both parties are now suggesting the Emergencies Act itself needs changing.

### **U.S. Sending More Central Americans Back to Mexico to Await Asylum Claims**

[Wall Street Journal](#) [3/12/2019 3:15 PM, Louise Radnofsky and Alicia A. Caldwell] reports the Trump administration took another small step this week in implementing a policy requiring asylum-seeking Central Americans to remain in Mexico while their claims are adjudicated. The policy is now being applied to asylum seekers at the Calexico port of entry, Department of Homeland Security officials said Tuesday, as well as the San Ysidro port of entry where it began and other parts of the border near San Diego where people are crossing the border illegally. The Mexican government began accepting the return of some Central American seekers waiting for U.S. immigration court hearings in January, but the policy has been marked by tension between the two governments as well as challenges in implementation. Mexican officials, including Interior Secretary Olga Sánchez Cordero, continue to say the policy is being imposed unilaterally on them and they are complying only for humanitarian reasons. American officials say they are rapidly becoming overwhelmed by the number of families and unaccompanied children from Central America seeking asylum, who have more complex needs and rights than the single Mexicans who used to dominate in illegal border crossings. But they said Tuesday that one factor in expanding the policy is the availability of resources on the Mexican side of the border to host the migrants, and that their aim is not to inundate Mexican areas that are not ready. Tijuana, the officials said, has enough resources; other areas may not. So far only a small fraction of illegal border crossers or those asking for asylum at legal border crossings have been sent back to Mexico, DHS officials said Tuesday.

[Associated Press](#) [3/12/2019 2:52 PM, Colleen Long, DC] reports asylum-seeking families have typically been released from U.S. custody and allowed to settle with family or friends while their cases wind through immigration courts, which often takes years. Critics, including President Donald Trump, have said that amounts to "catch-and-release," which administration officials want to limit with the new program. The program is also meant to deter those who make false claims; the number of asylum cases has skyrocketed and there is now a backlog of nearly 700,000 immigration court cases.

[Washington Post](#) [3/12/2019 3:56 PM, Nick Miroff, 9763K] reports that Homeland Security officials said Tuesday they have sent 240 migrants back to Mexico since January under an experimental new policy that requires Central American asylum seekers to wait outside U.S. territory while their asylum claims are processed. The policy, known as "Migrant Protection Protocols," has been expanded in recent days to the Calexico port of entry in California, said Department of Homeland Security officials who spoke on the condition of anonymity to describe the implementation of the measures.

[Breitbart](#) [3/12/2019 3:37 PM, Staff, 2015K] reports that The United States plans to extend its policy of returning asylum-seeking migrants back over the southern border to await their court hearings, triggering backlash from Mexico over the "unilateral measure." The policy -- US President Donald Trump's latest bid to deter undocumented immigrants -- will now be applied at a second border crossing: the one between Calexico, California and its Mexican sister city, Mexicali, the Mexican foreign ministry said Tuesday, citing US officials. "The Mexican government reiterates that it does not agree with this unilateral measure implemented by the US authorities," the foreign ministry said in a statement. The policy, known as the Migrant Protection Protocols, applies only to non-Mexican migrants. Mexico



said it was in contact with US authorities about the migrants due to be sent back, but only for "humanitarian reasons."

Reported similarly:

[CNN](#) [3/12/2019 2:40 PM, Geneva Sands and Priscilla Alvarez]

[NPR](#) [3/12/2019 2:40 PM, Joel Rose]

[CBS News](#) [3/12/2019 2:09 PM, Kate Smith]

[NBC News](#) [3/12/2019 12:52 PM, Julia Ainsley, 4061K]

[Reuters](#) [3/12/2019 1:24 PM, Yeganeh Torbati]

[Washington Times](#) [3/12/2019 8:47 AM, Stephen Dinan, 527K, DC]

[Washington Examiner](#) [3/12/2019 4:45 PM, Daniel Jativa, 629K, DC]

### **Trump administration puts end of TPS on hold for Hondurans and Nepalis**

[VOX](#) [3/12/2019 5:20 PM, Dara Lind, 2855K, DC] reports the Trump administration agreed on Tuesday to allow some 60,000 immigrants from Honduras and Nepal to retain their temporary legal status — pending a decision in a different case in federal court. The administration's attempts to end Temporary Protected Status designations for hundreds of thousands of immigrants from El Salvador, Haiti, Nicaragua, and Sudan had already been put on hold by a federal judge in October. The administration is currently appealing that ruling to the Ninth Circuit Court of Appeals. Immigrants with TPS from Honduras and Nepal were not included in that litigation. They sued the Trump administration separately and hadn't yet secured a court injunction in their case. The administration is now agreeing to link the fate of Honduran and Nepali TPS recipients to the outcome of the existing TPS case. At some point, it's likely that the TPS lawsuit will make its way to the Supreme Court, where the administration will likely prevail, given the five-justice conservative majority. In one email exchange, top officials pushed career staffers to include more positive facts about life in Haiti, because a negative report about country conditions didn't gel with the decision to end TPS for it. In another, then-acting Homeland Security Secretary Elaine Duke appears to have shortened the amount of time given to Nicaraguans before losing their TPS from 18 months to 12 — after a last-minute phone call with then-White House Homeland Security Adviser Tom Bossert.

### **House Democrats propose offering 2 million immigrants the chance to apply for U.S. citizenship**

[Washington Post](#) [3/12/2019 5:45 PM, Maria Sacchetti and Erica Werner, 9763K] reports House Democrats presented a broad immigration proposal Tuesday that would allow more than 2 million immigrants to apply for U.S. citizenship, including "dreamers" and those with temporary work permits who could soon face deportation under Trump administration policies. The Dream and Promise Act of 2019 comes two months after Democrats took control of the House and a day after the White House announced a budget proposal that would put billions of dollars toward a wall on the U.S.-Mexico border and would increase immigration enforcement and border security. The bill would offer green cards and a path to citizenship to undocumented immigrants who arrived in the United States as children or teenagers — those known as "dreamers" — and to people now in the country on temporary permits that prevent them from being deported. In announcing the measure, Speaker Nancy Pelosi (D-Calif.) invoked President Ronald Reagan, a Republican who signed an immigration amnesty law in 1986. She said it is important to grant citizenship to immigrants who have long lived in the United States and "who are American in every way." "There should be nothing partisan or political in this legislation," she said Tuesday. The bill also

would cover people with temporary protected status, which has allowed people from El Salvador, Haiti, Honduras, and other countries to avoid being deported to nations engulfed in war or affected by natural disasters. A smaller group of Liberians that has been granted Deferred Enforced Departure also would be protected. Trump also has sought to end these protections, spurring lawsuits that halted at least one of the efforts.

Reported similarly:

[Wall Street Journal](#) [3/12/2019 8:00 AM, Natalie Andrews and Louise Radnofsky]

[The Hill](#) [3/12/2019 5:34 PM, Rafael Bernal, 3038K]

[CBS News](#) [3/12/2019 12:46 PM, Camilo Montoya-Galvez]

[Law360](#) [3/12/2019 2:13 PM, Suzanne Monyak]

[Washington Times](#) [3/12/2019 6:48 AM, Stephen Dinan, 527K, DC]

### **Trump administration preparing to close international immigration offices**

[Washington Post](#) [3/12/2019 6:50 PM, Maria Sacchetti and Nick Miroff, 9763K] reports the Trump administration is preparing to shutter all 21 international offices of U.S. Citizenship and Immigration Services, a move that could slow the processing of family visa applications, foreign adoptions and citizenship petitions from members of the military. USCIS Director L. Francis Cissna said in an email to staff Tuesday that he is working to transfer those duties to domestic offices and the State Department's embassies and consulates. Generally, the offices facilitate applications from potential immigrants to the United States; closing the offices would reassign about 70 USCIS staffers across the world who the agency's website says provide "valuable information services." Department of Homeland Security officials say it is part of an overall effort to streamline U.S. immigration operations. A senior DHS official who spoke on the condition of anonymity to describe a decision that has yet to be publicly announced said it was primarily a cost-saving measure that will hand off responsibilities to State Department and DHS personnel working abroad. The USCIS International Operations Division, under the Refugee, Asylum, and International Operations Directorate, has about 240 employees in the United States and in two dozen field offices in 21 countries, and is "charged with advancing the USCIS mission in the international arena," according to materials on the agency's website.

Additional reporting:

[New York Times](#) [3/12/2019 1:49 PM, Miriam Jordan, 20737K]

[Wall Street Journal](#) [3/12/2019 5:50 PM, Louise Radnofsky]

[Huffington Post](#) [3/12/2019 8:58 PM, Sanjana Karanth, 6834K]

[Politico](#) [3/12/2019 6:12 PM, Ted Hesson]

[The Hill](#) [3/12/2019 2:25 PM, John Bowden and Rafael Bernal]

[Washington Examiner](#) [3/12/2019 2:52 PM, Eddie Scarry, DC]

[Los Angeles Times](#) [3/12/2019 11:45 PM, Molly O'Toole, 3575K, CA]

[The Week](#) [3/12/2019 2:40 PM, Kathryn Krawczyk]

### **Here's how Trump wants to fund an illegal immigration crackdown**

[ABC News](#) [3/12/2019 2:12 PM, Quinn Owen, 2413K] reports President Donald Trump's latest budget is packed with ways the administration wants to curb illegal immigration in the U.S. beyond just the \$8.6 billion for his much-desired border wall. Across the federal government, the White House plan calls for an all-hands-on-deck approach from increasing the number of officers who can detain and deport illegal immigrants, to proposing to punish the "sanctuary cities" that protect them. While the proposal has almost no chance of

passing the Democratic-controlled House, it outlines the administration's priorities for the year and suggests immigration will remain Trump's focal point for the year. "Immigration policy, like all policy, must serve the interests of Americans living here today-including the millions of new Americans who came here legally to join our national family." On top of \$8.6 billion more for a wall, the White House budget proposal would fund 5,000 new Border Patrol Agents and allow Immigration and Customs Enforcement to add 10,000 officers and investigators while expanding detention centers, according to the White House budget office. As the number of detainees continues to climb, immigration judges face a record backlog of cases. Trump's new proposal increases Justice Department funding to grow the number of immigration judges by nearly 20 percent, the budget office says. The budget also includes proposals aimed at "sanctuary cities." The measures would allow the administration to withhold funding from cities that don't "Cooperate with specific federal immigration enforcement activities and requests." [Editorial note: consult source link for video]

### **Pentagon seeks base site to house 5,000 migrant children**

[Washington Post](#) [3/12/2019 7:01 PM, Lolita C. Baldor] reports the Defense Department is reviewing a number of military bases to find a location that can house up to 5,000 unaccompanied migrant children as the U.S. braces for a surge of people crossing the U.S.-Mexico border this spring. The Department of Health and Human Services submitted the request for space late last week, as Homeland Security leaders warned that tens of thousands of families are crossing the border each month. That flow, said Homeland Security Secretary Kirstjen Nielsen, will grow worse this spring as the weather gets better. Meanwhile, HHS Secretary Alex Azar told lawmakers at a House budget hearing Tuesday that he had had no advance knowledge of the Trump administration's "zero tolerance" policy, which resulted in hundreds of migrant children being separated from their parents and placed in his department's custody last spring.

The Pentagon last summer approved the use of Goodfellow Air Force Base near San Angelo, Texas, for an HHS request to accommodate up to 20,000 children. Legal and environmental requirements were finalized, but HHS never came back with a formal request to actually use the base. Army Lt. Col. Jamie Davis, a Pentagon spokesman, said Tuesday that since this HHS request is smaller than last year's, the department is doing another review. Under questioning from Rep. Diana DeGette, D-Colo., Azar told lawmakers that he was not consulted about last year's "zero tolerance" policy that resulted in immigration authorities separating several thousand migrant children from their parents. "I was not aware that that policy was under consideration when the attorney general announced it," Azar said. Former Attorney General Jeff Sessions made the announcement in early April of last year.

### **The Government Has Not Revealed How Deportation Decisions Are Made**

[Pacific Standard](#) [3/12/2019 3:15 PM, Arvind Dilawar] reports that a new lawsuit filed against the Board of Immigration Appeals hopes to bring transparency to the procedures, timelines, and other aspects of the board's inner workings. The American Immigration Council and the Kathryn O. Greenberg Immigration Justice Clinic brought the suit after the BIA failed to respond to Freedom of Information Act requests about their process for granting stays of removal. Such stays allow non-citizens to avoid deportation before their cases are heard by immigration courts. The advocates behind the suit hope that a court will order the release of information about the BIA's criteria for granting stays and the full

numbers of motions for appeals made, opened, and won. Both groups believe such information can be used to better arm immigrants, their families, and lawyers in their fights against deportation. Pacific Standard recently interviewed representatives from both the American Immigration Council and Kathryn O. Greenberg Immigration Justice Clinic—Claudia Valenzuela and Rikke Bukh, respectively—about the motivation behind their suit against the BIA, its aims, and its importance.

### **The Trump Administration Studied Plans To Deter Immigrants At The Southern Border, Document Shows**

[BuzzFeed](#) [3/13/2019 12:33 AM, Hamed Aleaziz, 8149K, DC] reports that in the early months of the Trump administration, senior officials examined the effects of plans to deter immigration at the southern border by separating families and tracking down those undocumented individuals who came forward to pick up unaccompanied children at government shelters, according to a document obtained by BuzzFeed News. In a memo dated July 4, 2017, Jonathan White, the former deputy director of the Office of Refugee Resettlement, which oversees unaccompanied minors, laid out how Immigration and Customs Enforcement efforts to track down certain sponsors -- those who pick up unaccompanied children in government facilities -- will likely lead to "significant increases in length of stay and decline in discharge rate." Scott Shuchart, a former senior Department of Homeland Security adviser who reviewed the document, said that it appeared the memo was a model for policies that the agency and White House wanted. "'Deterrence' was what they were planning for," he said. In a statement, a spokesperson for the Administration for Children and Families, a division of the Department of Health and Human Services, said they would not speculate on the document but noted that "The Office of Refugee Resettlement in HHS's Administration for Children and Families has worked aggressively to meet its responsibility to responding to ever-changing levels of referrals throughout our network of care providers."

### **Mexico to Continue Facilitating Caravan Travel to US Border**

[Epoch Times](#) [3/12/2019 4:29 PM, Charlotte Cuthbertson, 221K] reports Mexico's new government has started laying out its vision for immigration, especially regarding the huge flow of migrants journeying north from Central America to the U.S. border. Olga Sánchez Cordero, secretary of the interior for Mexico, said she expects the number of Central American migrants entering Mexico to reach at least 700,000 a year over the next several years. Cordero said Mexico's immigration policies under Lopez Obrador will be "radically different" from previous governments. "The previous policy was basically to contain them, repress and deport the migrants," Cordero said. "Currently, the policy is order, security, and regularity in our migration. This implies registering and having a legal stay of migrants in our nation." She said the government is currently evaluating how many migrants it is willing to accept into Mexico, but so far has only turned back about 150 people. Almost all of Central Americans who gain entry into the United States by claiming a fear of returning to their country aren't granted asylum by an immigration judge. The majority of them either fail to show up at their immigration court hearing, or don't bother to formally apply for asylum once they're in the country. "Only 1.5 percent of family units from Central America apprehended [in fiscal] 2017 have been removed to their countries of origin, despite the fact that most will not end up having valid claims to remain in the United States when their court proceedings conclude," Customs and Border Protection Commissioner Kevin McAleenan said during a Senate oversight hearing on Dec. 11, 2018. Under the short window of zero tolerance,

Department of Homeland Security Secretary Kirstjen Nielsen said the prosecution numbers rose from about 20 percent to about 55 percent.

**More than half of all illegal immigrants arrested at the US-Canada border are Mexican**  
[Washington Examiner](#) [3/12/2019 5:29 PM, Anna Giaritelli] reports that more than half of the illegal immigrants arrested last year as they traveled from Canada to the U.S. were Mexican citizens, according to newly released government data. A total of 4,316 noncitizens were arrested at the northern U.S. border in fiscal 2018, and 2,245 of those were Mexican citizens. Mexican nationals are able to fly to Canada without a visa. Total arrests at the northern border jumped 43 percent between 2017 and 2018, and reached the highest level in eight years. In 2017, 3,027 were arrested. The uptick in arrests on the northern border makes it the highest level since 2011. Of the eight Border Patrol sectors on the northern border, the Detroit sector saw the most arrests at 1,930. Vermont's Swanton sector finished second with more than 700 apprehensions.

**'Gavin Newsom the last person anyone wants to listen to on border security:' former ICE Director Homan**

[FOX News](#) [3/12/2019 2:26 PM, Victor Garcia, 9216K] reports the former acting director of the U.S. Immigrations and Customs Enforcement blasted California Governor Gavin Newsom for criticizing President Trump's border budget request saying he is the "last person anyone wants to listen to" when it comes to border security. "Gavin Newsom he's the last person anyone wants to listen to because of his 'sanctuary city' policies that have killed law enforcement officers," Thomas Homan said on "America's Newsroom." "He entices this type of illegal activity because he wants to give them free medical care, free college tuition, sanctuary status, he wants to abolish ICE." He added: "so he's the last one anyone should listen to on how to secure the border." The Democratic governor appeared on CNN Monday night and addressed the president's request for 8.6 million dollars to secure the border in his budget proposal. Newsom called the request "absurd" and "pure political theater." "We believe in appropriate security measures, but a 2,000-mile wall is a monument to stupidity, not just vanity, stupidity. It doesn't solve the problem," Newsom told CNN's Anderson Cooper. "Look, you can't argue the facts of what's happening on that border. This isn't political theater, this started back in 2014. President Obama thought it was an issue. Now the numbers are even worse than they were in 2014," Homan told hosts Bill Hemmer and Sandra Smith. "They ought to put the politics aside for the moment and do what they're supposed to be doing protecting American lives and protecting the sovereignty of this country." "There's no downside to securing our southern border. There's no downside in less illegal immigration," Homan said. "There's no downside on less drugs and there's certainly no downside on the stopping bankrolling the criminal cartel smuggling these people. And there's no downside on saving lives." [Editorial note: consult source link for video]

**Tom Homan: There's no downside to securing the southern border and saving lives**

[FOX News](#) [3/12/2019 10:56 AM, Staff, 9216K] reports Former ICE Acting Director Tom Homan calls on Congress to work with President Trump to close immigration loopholes and secure the border. [Editorial note: consult source link for video]

**[NY] Bill Would Protect Undocumented Immigrants In New York From Deportation Threats**



[WSHU Public Radio](#) [3/12/2019 2:03 PM, Charles Lane, 3K, CT] reports New York's Democrat-controlled legislature will soon vote on a bill that would broaden the definition of extortion to include threats of reporting someone to Immigration and Customs Enforcement. The bill is being proposed by Elmont Assemblywoman Michaelle Solages who says constituents have called her office saying that they are being blackmailed by abusive husbands, landlords wanting additional rent, and employers taking advantage of employees. "And threaten to call ICE or threaten that they are going to get deported," she says. "This bill would provide protections, saying that you can't use this point of leverage." The bill was first introduced last year, but did not make it out of committee in the then-Republican-controlled Senate. [Editorial note: consult source link for audio]

**[FL] Contentious bill to ban 'sanctuary cities' passes Senate committee in final minute**

[Miami Herald](#) [3/12/2019 7:58 AM, Samantha J. Gross, 535K, FL] reports that after heated back-and-forth with committee Democrats, Sen. Joe Gruters' controversial anti-sanctuary city bill cleared its second of three hurdles Tuesday. The Senate Infrastructure and Security Committee voted 5-3 along party lines in the final minute of the meeting, approving the much-contested SB 168, which died in the Senate last year. The bill creates rules relating to federal immigration enforcement by prohibiting "sanctuary" policies and requiring state and local law enforcement to comply with U.S. Immigration and Customs Enforcement. The bill also would give whistleblower status to officers who report citizenship violations by undocumented immigrants detained in local jails on unrelated charges. Under this bill, local law enforcement would be required to honor federal law enforcement's request for an "immigration detainer," meaning a request that another law enforcement agency detain a person based on probable cause to believe that the person is a "removable alien" under federal immigration law. The bill would essentially make the "request" a requirement. Opponents to the bill say that the language also creates a rift in community policing, making Florida residents feel more endangered than protected. [Editorial note: consult source link for video]

**[WI] ICE answers Rep. Mark Pocan's FOIA request after more than four months**

[Badger Herald](#) [3/12/2019 8:46 PM, Maddy Phillips, 8K, WI] reports that Immigration and Customs Enforcement responded to Rep. Mark Pocan's, D-Madison, Freedom of Information Act request regarding their September raid in Wisconsin with a spreadsheet and a 411-page document. After the Dane County raid in late September, Pocan met with ICE officials to ask about their contact with local law enforcement. This documentation found that at least 39 of the detainees had no documented criminal history and emails from ICE showed that the agency failed to inform Madison and Dane County law enforcement of the operation prior to the beginning of the raids. Pocan requested documentation from ICE concerning the contact they had with local law enforcement which uncovered weeks of coordination with county law enforcement of at least nine counties, but none with Dane County. On two occasions in the documents released, officials referred to Dane County area's population as "radical." Pocan also requested a list of criminal offenses committed by the 83 individuals arrested across Wisconsin. ICE's response was incomplete, the press release said. The request also included information on the time spent in satellite offices the agency used outside of Milwaukee which provided minimal information about the use of space in Madison and Dane County. Documentation of ICE's protocol when making arrests and privacy release forms to allow detainees to seek assistance from members of Congress were requested but no information was released in the response.

### **[CO] Colorado sues Trump administration for money withheld over immigration enforcement**

[Colorado Sun](#) [3/12/2019 10:29 AM, Jesse Paul, CO] reports Gov. Jared Polis and Colorado Attorney General Phil Weiser are teaming up to sue the Trump administration over its decision to withhold \$2.7 million in public safety funds because of the state's refusal to cooperate with federal immigration enforcement. The U.S. Department of Justice did not give Colorado its Edward Byrne Justice Assistance Grants for 2018 because of a provision preventing the funding from being provided in places that don't allow U.S. Immigration and Customs Enforcement to interview people about their immigration status in jails. The Justice Department also wanted Colorado's jails to inform immigration agents if they were about to release someone who is in the country illegally. When the state refused, the Justice Department withheld \$2.7 million slated for Department of Public Safety use across Colorado. Other states and cities, including Los Angeles and Philadelphia, have successfully challenged the Trump administration over the same issue. "We believe we are on solid legal footing to secure these funds," Polis said. He added that the precedent set by the Trump administration's decision to withhold funding in this case is what's most troubling. "Today, it's about justice grants for unrelated immigration conditions," Polis said. "Under this precedent, tomorrow it could be our healthcare dollars or support for childhood nutrition or some other federal policy with no connection to the welfare of our residents." There were questions about whether Denver's Byrne Justice Assistance Grants would be withheld for 2017 over the city's so-called "sanctuary policies." But the money was awarded after the city backed a lawsuit to secure the funds. Colorado is suing on the grounds that the Trump administration lacks the authority to stipulate how the funds are used, and argues the issue should be decided by Congress. The lawsuit also claims the administration didn't have a public comment period as required.

Reported similarly:

[Denver Post](#) [3/12/2019 4:56 PM, Justin Wingerter, 380K, CO]

[Washington Times](#) [3/12/2019 2:52 PM, James Anderson, DC]

### **[HI] Hawaii immigrant sanctuary bill dies in state legislature**

[Washington Times](#) [3/12/2019 5:50 PM, Audrey McAvoy] reports that a bill that would have made Hawaii the third so-called sanctuary state for immigrants who are in the U.S. illegally has died at the state Legislature. The state Senate passed the bill and sent it to the House. But Rep. Gregg Takayama, the chairman of the House Public Safety Committee, said Tuesday he won't be hearing it in his committee. Takayama said that because most law enforcement occurs at the county level, he believes it would be more appropriate for the counties and not the state to consider creating sanctuaries. The bill passed by the Senate said Hawaii law enforcement would have prevented law enforcement from stopping, questioning or interrogating an individual based solely on that person's actual or suspect immigration or citizenship status. Hawaii law enforcement officers would be prevented from inquiring about the immigration status of crime victims, witnesses and those who approach the police for help. Exceptions would be made to investigate potential criminal activity by the person. Under the bill, Hawaii law enforcement would have been allowed to help federal immigration officials if presented with a warrant. They also would have assisted if the individual immigration officials were seeking information on had a felony conviction or had been convicted of a misdemeanor within the past five years. They would have helped if there was probable cause to believe the person was engaged in terrorist activity.

## Legal News

### **[NY] Everyone in immigration detention needs a lawyer: The nation should follow New York's lead**

[New York Daily News](#) [3/12/2019 12:35 PM, Robert D. Weisel, NY] reports as the Trump administration's immigration agenda sows fear and instability, New Yorkers should be proud that our state is the national leader in ensuring due process for all. In New York, no detained person is forced to face immigration court without an attorney. Having served nearly three decades as an immigration judge, I can affirm that access to counsel for people facing deportation is an essential component of fairness and an important way to strengthen communities throughout our state. Consider "Louis's" story. A lawful permanent resident for more than two decades, "Louis" was a devoted father and beloved basketball and football coach in Rochester when Immigration and Customs Enforcement detained him based on a 10-year-old conviction. While he was detained in Batavia, Louis's family faced crippling emotional and financial hardship without his income and support. Had Louis not been a New Yorker, odds are he would have faced deportation without a lawyer. Thankfully, Louis's case did take place in New York. Louis and his attorneys worked together and won his immigration case.

Unlike in criminal court, immigrants in deportation proceedings are not guaranteed an attorney if they cannot hire one. As a result, nearly 70% of detained immigrants and approximately 30% of non-detained immigrants nationwide in deportation proceedings lack legal representation, facing the terrifying prospect of separation from their families while confronting the complexities of U.S. immigration law alone. I was the assistant chief immigration judge for New York City and New Jersey in 2013 when a small pilot project, The New York Immigrant Family Unity Project, guaranteed attorneys for immigrants at one New York City immigration court. NYIFUP demonstrated the importance of publicly-funded deportation defense, raising the level of practice in the court and strengthening both fairness and efficiency. The Vera Institute of Justice evaluated NYIFUP, finding that 48% of immigrants succeeded in their cases, while unrepresented immigrants in the same court were successful only 4% of the time. Now, as a part of Gov. Cuomo's Liberty Defense Project, New York State funds deportation defense at all immigration courts upstate, while the New York City Council supports it in New York City.

### **[MD] ACLU takes up case of local undocumented Chinese immigrant**

[KPVJ](#) [3/13/2019 12:00 AM, Dandan Zou, 3K, ID] reports that on Aug. 29, 2018, Hui Fang Dong was told her husband, Wanrong Lin, was needed for some more questions alone in another room. So she left to join her parents and her three children in the waiting room. The next thing she knew was her immigration lawyer coming out to tell her that Lin had been arrested by U.S. Immigration and Customs Enforcement agents. Lin was taken to the Anne Arundel County Detention Center where he would spend the next 2½ months before being put on a plane at the Newark, N.J., airport and deported to China. The American Civil Liberties Union of Maryland, who took on Lin's case, has accused ICE of using a "cruel bait and switch strategy" to deport those who show up for appointments required as part of the process for them to obtain legal status. The uncertainty for the couple continues as they prepare for a court hearing Friday, March 15, in Greenbelt during which the ACLU will ask the judge to grant a preliminary injunction, which would prohibit ICE from deporting Lin again. Calling Lin "an unlawfully present Chinese national," ICE spokeswoman Justine Whelan wrote in an email Monday that "Lin entered the U.S. illegally without admission or

parole and was ordered removed from the U.S. by an immigration judge March 10, 2008," an order executed by ICE last August. Coming to America illegally at the age of 14 in 1994, Lin had applied for asylum but that request was denied.

### **[CA] Trump vs. California immigration suit heads to appeals court**

[Washington Post](#) [3/13/2019 1:18 AM, Associated Press, DC] reports that the Trump administration will try to persuade a U.S. appeals court on Wednesday to block California laws aimed at protecting immigrants, seeking a win in one of numerous lawsuits between the White House and the Democratic-dominated state. At issue in the hearing before the 9th U.S. Circuit Court of Appeals is a 2018 administration lawsuit over three California laws that extended protections to people in the country illegally. California officials say their policies limiting cooperation with U.S. immigration authorities promote trust between immigrant communities and law enforcement and encourage witnesses and victims to report crime. The U.S. Department of Justice argued in court documents that the Constitution gives the federal government pre-eminence power to regulate immigration, and the three laws obstruct those efforts. U.S. Judge John Mendez in Sacramento kept two of the laws in place in July but blocked part of a third. He ruled that California could limit police cooperation with immigration officials and require inspections of detention facilities where immigrants are held, but the state could not bar private employers from allowing immigration officials on their premises without a warrant. The Trump administration is asking a three-judge panel of the 9th Circuit to entirely block all three laws. The panel will hear arguments but will not immediately rule.

## **Enforcement News**

### **Data: 1.7M Central American, Mexican Illegal Aliens Living in U.S. Despite Deportation Orders**

[Breitbart](#) [3/12/2019 7:11 PM, John Binder, 2015K] reports that there are roughly 1.74 million illegal aliens from Central America and Mexico that continue living in the U.S. despite orders to be deported. The federal data found that there are nearly 645,000 illegal aliens from Central America and Mexico who have final orders for deportation and about 1.1 million illegal aliens from Central America and Mexico with pending deportation orders. "The illegal immigration problem in America is bursting at the seams," IRLI Executive Director Dale Wilcox said in a statement. "Among the roughly 12 to 22 million illegal aliens living in the United States, we have a population greater than the City of Philadelphia's that have been ordered removed or has pending final removal orders-from Central America and Mexico alone," Wilcox said. "Instead of taking on more aliens from caravans, our country should expedite the removal of those who have already received due process and been given removal orders."

### **Teen Migrant Claims She Was Repeatedly Raped During Journey to U.S.**

[Breitbart](#) [3/12/2019 3:12 PM, Bob Price, 2015K] reports a 17-year-old girl from Honduras apprehended by Border Patrol agents claims she was sexually assaulted multiple times during her two-month journey through Mexico. Del Rio Sector Border Patrol agents near Eagle Pass on March 8 encountered a young Honduran girl. During a processing interview that includes a medical screening, the 17-year-old unaccompanied minor said she was sexually assaulted multiple times in January and February as she traveled from Honduras to the Texas border. "Migrants who choose to make the journey to illegally enter the United

States place themselves at the mercy of smugglers who have no regard for life or safety," Del Rio Sector Acting Chief Patrol Agent Matthew J. Hudak said in a written statement. "Unfortunately, this child's story is not unique." Her story is so common that every migrant girl over the age of ten apprehended after crossing the border from Mexico is given a pregnancy test, Homeland Security Secretary Kirstjen Nielsen testified before Congress last week. "Because of the increase in violence, at ICE, when we have families with children, we have to give every girl a pregnancy test over 10. This is not a safe journey," the secretary said during her broadcasted testimony. Statistics released by the Department of Homeland Security show that at least one in three females migrating to the U.S. through Mexico become victims of sexual assault. President Donald Trump reiterated that fact during a speech in February.

### **2,200 quarantined over mumps outbreak at immigration centers**

[Washington Post](#) [3/12/2019 7:39 PM, Astrid Galvan] reports U.S. immigration authorities say over 2,200 people exposed to a mumps outbreak in at least two detention facilities have been quarantined. Immigration and Customs Enforcement said Tuesday that the 25-day quarantine began March 7 at facilities in Pine Prairie, Louisiana, and Aurora, Colorado. A spokesman says 236 detainees have had confirmed or probable cases of mumps in 51 facilities in the past year. There were no reported cases between 2016 and 2018 at any ICE facilities. Mumps is extremely rare, and infections have dropped off by 99 percent since vaccinations began in the late 1960s. It can spread quickly through coughing, sneezing or even talking. A measles outbreak at an immigrant detention center in Eloy, Arizona, in 2016 contributed to a statewide outbreak after some employees refused to get vaccinated.

Reported similarly:

[The Daily Caller](#) [3/12/2019 5:56 PM, Audrey Conklin, 867K, DC]

[Breitbart](#) [3/12/2019 10:05 AM, Penny Starr, 2015K]

### **300 migrants bused from El Paso to Albuquerque after Annunciation House runs out of room**

[KVIA](#) [3/12/2019 3:45 PM, Staff, 19K, CA] report about 300 migrants are being cared for in Albuquerque, New Mexico, after being released from federal custody in El Paso, Texas. The nonprofit organizations in El Paso that have been housing asylum-seekers are running out of room, forcing men, women and children to be bused Sunday to Albuquerque after being released from the U.S. Immigration and Customs Enforcement agency. "Each has a sponsor in the United States, and the sponsor pays for their travel," Albuquerque Communications Director Matt Ross said. "That's what's happening now. They're coming through Albuquerque, where they stay for a short time, a day, overnight, couple of days while their sponsor — wherever that person is — arranges transportation." The migrants are staying at hotels while they are processed to be sent around the country to stay with their families or sponsors as they await formal hearings, Ross said.

Reported similarly: [San Francisco Chronicle](#) [3/12/2019 2:13 PM, Staff, 337K, CA]

### **ICE Officers Giving Up On Trump Over Catch And Release**

[The Daily Caller](#) [3/12/2019 5:30 PM, Jason Hopkins, 867K, DC] reports the National ICE Council issued a scathing letter to President Donald Trump regarding the continuation of "wasteful and dangerous" immigration policies at the U.S.-Mexico border. "We regretfully write to inform you that in the middle of an immigration crisis on the southern border, your



Administration is squandering scarce ICE resources and playing political games with our officers," the National Immigration and Customs Enforcement Council wrote in a letter delivered to Trump on Monday. "To be direct Mr. President — the rhetoric doesn't match reality and we hope that this letter shows you the complete and total nonsense that is really taking place under the Trump Administration on the southern border." The National ICE Council, which is the union for ICE officers, took specific umbrage with the practice of "Catch and release," a policy that essentially forces immigration officials to release detained foreign national into the interior of the U.S. "Catch and release' isn't just happening, it's in overdrive. Catch and release must continue as ICE doesn't have sufficient custody space to hold the massive number of family units illegally entering the United States everyday," the letter continued. "Political games in Washington, D.C., have rendered the United States completely incapable of controlling its southern border." The letter, signed by ICE Council President Chris Crane, details the extreme frustration ICE officers are experiencing as they are forced to perform a number of banal job duties — such as opening the doors to release immigrants already captured by Border Patrol agents — that keep them from their stated goals of catching criminals and searching local prisons for illegal aliens. The complaints also indicate crumbling support from a union that notably stood behind Trump during the last presidential campaign.

Reported similarly: [Daily Wire](#) [3/12/2019 8:07 PM, Josh Hammer, 996K, CA]

**[MA] Danilo Ramscheid remains in custody, trial date scheduled**

[Wicked Local Winchester](#) [3/11/2019 4:18 PM, Mariya Manzhos, 8K, MA] reports wearing a light gray sweater, black pants and glasses, Danilo Ramscheid swiveled from side to side in a chair while attorneys brought his case before the judge for a bail hearing at the Middlesex County Superior Court Tuesday morning. Ramscheid's attorney Cheryl C. McGillivray asked to reschedule the bail hearing because she was unable to access information on Ramscheid's case due to problems with the computer system, she told the judge. McGillivray, a public defender with the Committee for Public Counsel Services, is also seeking more discovery materials. She said she will likely be bringing discovery motions at the next hearing. The bail hearing was rescheduled for April 10. The pre-trial conference is slated for July 11 and the trial is scheduled for July 23. Ramscheid is currently held at the Middlesex House of Correction and Jail, according to McGillivray. The bail was set first in the Woburn District Court at \$10,000, and was increased to \$1 million in the Middlesex County Superior Court. Ramscheid would have to pay 10 percent of the total amount, or \$100,000, to be bailed out. If the bail is paid, Ramscheid would go into Immigration and Customs Enforcement (ICE) custody, McGillivray said.

**[MO] Alex Garcia's Latest Hope to Block Deportation? A 'Private Bill' From U.S. Rep Clay**

[River Front Times](#) [3/12/2019 6:34 AM, Doyle Murphy, 51K, MO] reports an act of Congress could spring Alex Garcia from the Maplewood church where he has spent nearly eighteen months locked in a stalemate with immigration agents — but odds aren't high of even that working. Garcia, a 38-year-old father of five, took sanctuary in September 2017 in Christ Church after the department of Immigration and Customs Enforcement, or ICE, told him in a letter they planned to enforce a 2000 order to deport him. His family in Poplar Bluff and supporters have worked frantically ever since to keep him in this country with his wife and kids, all of whom are United States citizens. Running out of options, they have turned to U.S. Representative Lacy Clay (D-St. Louis), who has been supportive of his cause. Clay

has promised to sponsor what is known as a private bill or private legislation to protect Garcia from deportation. In the past, Democrats and Republicans have used private bills as a last-ditch effort to seek permanent resident status for people in the country illegally.

In a news release, the St. Louis Inter-Faith Committee on Latin America says Clay has promised to sponsor a bill for Garcia; the organization is hoping for co-sponsors. A spokesman for Clay confirms that the congressman plans to introduce a bill in the future. It is rare for a private bill to become law, and it would likely be even tougher under the Trump administration. Just getting one introduced used to be enough to buy their beneficiary time, sometimes years, while a bill is pending. That is no longer the case. ICE has reversed its practice of delaying deportations while bills are pending. In May 2017, then-acting director of ICE Thomas Homan issued a letter outlining a new, hard-line policy on private immigration bills. The agency will move forward with deportations even when a bill is pending. And the agency will only consider issuing a temporary stay of removal if the chair of the U.S. Judiciary Committee — or a designated subcommittee of the Senate or House — sends them a written request. Even then, stays will be capped at six months with no renewals, according to the new policy.

**[MO] Longtime St. Louis resident released from immigration custody after lawyer points out 20-year-old error**

[St. Louis Post-Dispatch](#) [3/12/2019 6:12 PM, Robert Patrick, MO] reports a longtime St. Louis resident originally from Honduras who was arrested last month by immigration officials was released Tuesday after her lawyers pointed out a nearly 20-year-old error. Ilsa Guzman Fajardo, 48, has now been told to regularly report to immigration officials, but without the ankle monitor she wore for more than four years while in what lawyer Javad Khazaeli called "weird limbo." Khazaeli said that a Thursday court hearing in a lawsuit seeking to win her release probably would be canceled and the court action would move to the San Diego area, where they will seek to rescind her removal order. Guzman Fajardo was detained after entering the country near San Diego in 1999 "without status" and seeking asylum, Khazaeli said. Guzman Fajardo was released the next day, according to court filings by her lawyers. But Immigration and Naturalization Service officials failed to tell her where and when she should appear in court, and failed to get a working address from Fajardo, the filings say. Although Guzman Fajardo received no notification, officials held a hearing a week later and ordered her sent back to Honduras. She never received a copy of that removal order, the filings say. In 2014, she was taken into custody by Immigration and Customs Enforcement, and informed of the removal order. She was then released from custody with an ankle bracelet and regularly reported to immigration officials. That happened for Guzman Fajardo on Feb. 12, when she was taken into custody without explanation, the filings say. Since that time, she has been held in the Pulaski County jail in far southern Illinois. Citing rulings by appeals courts and the Board of Immigration Appeals, Fajardo's lawyers say that her order of removal is invalid and her current jailing is unconstitutional.

Reported similarly:

[FOX 2 St. Louis](#) [3/12/2019 2:29 PM, Chris Regnier, 119K, MO]

[River Front Times](#) [3/12/2019 1:53 PM, Doyle Murphy, 51K, MO]

**[MI] U.S. immigration authorities are failing this award-winning Mexican journalist**

[Washington Post](#) [3/12/2019 12:33 PM, Jason Rezaian, 9763K] reports that in 2008, when Mexican journalist Emilio Gutiérrez Soto made the difficult decision to flee his homeland and seek refuge in the United States, he had little idea that he was embarking on an ordeal that would last more than a decade. At the time, Gutiérrez faced a brutal dilemma: He could either continue reporting on drug cartels and corrupt Mexican military officials and live under the shadow of mounting death threats, or he could do what so many of his countrymen before him had done in seeking out a safer future for his family across the border. He chose the latter, and ever since then he and his son Oscar have been mired in a labyrinthine asylum case. In July 2017 they were denied asylum in the United States and nearly deported. If not for the intervention of press freedom advocates, the Gutiérrezes would probably have been quietly sent back Mexico to confront a gruesome fate. Instead they were detained in December 2017 by Immigration and Customs Enforcement agents and imprisoned in a detention center in Texas.

**[IL] Dwight OKs immigrant lockup**

[Kankakee Daily Journal](#) [3/12/2019 9:00 AM, David Giuliani, 7K, IL] reports in a tense meeting with a visible police presence, the Dwight village board on Monday approved the zoning and annexation of land for a proposed immigration prison. More than 200 people attended the village board's meeting at the Dwight High School gym. Protesters repeatedly interrupted the meeting. If a private prison is built in Dwight — 30 miles west of Kankakee — it could hurt the Kankakee County government, which heavily relies on federal money for housing ICE detainees. There is no guarantee ICE will agree to a prison in Dwight. During public input, the debate revolved around the policies of Immigration and Customs Enforcement, or ICE. Most of the speakers were from out of town, both from the Chicago area and downstate. They were against the proposed prison. The speakers from Dwight were mostly in favor of the 1,200-bed lockup, which local officials are calling a detention center. Last year, Kankakee County received \$4.9 million for housing ICE detainees. Officials have said this money has helped the county make ends meet since the county entered an ICE contract in 2016. According to November 2017 numbers from ICE, 60 percent of the immigrants in the Kankakee County jail were criminals and the rest noncriminals. Last month, Sheriff Mike Downey said 80 or 90 percent are criminals.

Reported similarly:

[Pontiac Daily Leader](#) [3/12/2019 9:24 AM, Staff, 1K, IL]

[NPR Illinois 91.9](#) [3/12/2019 5:33 PM, Eric Stock, 5K, IL]

[WGN-TV](#) [3/12/2019 8:37 AM, Nancy Loo, 164K, IL]

**[WI] Congressman: ICE delayed giving answers about immigration raids**

[WSAU](#) [3/12/2019 2:15 PM, Staff, WI] reports a Wisconsin Congressman says there are too many unanswered questions surrounding an immigration action last year. Immigration and Customs Enforcement arrested 83 people in Wisconsin over four days last September. Congressman Mark Pocan said a Freedom of Information request reveals 39 individuals had no criminal record. "When you tell us that they're going after MS-13 gang members and drug dealers and human traffickers, and you come back with people with offenses or no offenses, that's a lie," Pocan said Monday. "ICE has lied over and over and over again, at the direction of this White House." Pocan tweeted: "More than four months after I submitted a FOIA request, @ICEgov FINALLY released information regarding the 83 people the agency arrested in Wisconsin last September." Hundreds of pages were redacted, but the FOIA request did reveal ICE officials referring to Madison and Dane County as home to

"radical populations." Pocan said he's prepared to sue, in order to get answers on what actually occurred when ICE made those arrests. Madison Mayor Paul Soglin complained in the days after the raids that local police were not told that ICE would be operating in the city, and that there was no accounting of who was rounded out, or where they were taken.

#### **[TX] Undocumented immigrant convicted of theft deported**

[KXXV](#) [3/12/2019 5:07 PM, Estephany Escobar, TX] reports an undocumented immigrant convicted of a Class A misdemeanor for theft has been deported to Mexico. On Friday, a McLennan County jury found Estela Fajardo guilty of buying stolen goods worth between \$750 to \$2,500. The class A misdemeanor is punishable for up to one year in jail. Fajardo had already been at both of the Waco jails for three years. On Monday night, Waco Immigrants Alliance Executive Director Hope Mustakim said the businesswoman and mother of four who has lived in Waco for more than 30 years, was deported to Mexico. On Sunday, the group asked supporters to call U.S. Immigration and Customs Enforcement to give Fajardo the chance to see an immigration judge. Mustakim said her immigration attorney had applied for an emergency stay of removal. A spokesman for the U.S. Immigration and Customs Enforcement said the agency would release a statement on the matter on Wednesday. However, he said he could not confirm Fajardo's deportation in the meantime.

#### **[TX] How An Immigration Raid Near A Small Texas Town Touched A Whole School District**

[KERA News](#) [3/12/2019 7:25 PM, Stella M. Chávez, 7K, TX] reports that on August 28, agents from U.S. Immigration and Customs Enforcement, or ICE, raided a Northeast Texas factory that makes vehicle trailers. In the nearby Honey Grove Independent School District, nearly two dozen children have parents who were arrested and detained by ICE agents. Agents from ICE arrested nearly 160 workers at the factory, called Load Trail. Officials said it was the largest raid at a single site in a decade. At Honey Grove ISD, 23 students of the 650 enrolled had parents who were detained. A lot of support has come from the school district, in the form of letters teachers and staff have written for her and other students. District officials have also collected donations and driven families to court. Experts say trauma can last a long time, which is why the way school districts like Honey Grove respond and meet students' needs can make a difference. The afternoon of the raid, district officials told students, whose parents or guardians had been detained, to head to the superintendent's office. "We wanted them [to have] the opportunity to process it. We also didn't want any of our kids going home to empty houses," said superintendent Morrison. [Editorial note: consult source link for audio]

#### **[AZ] 750 Migrants Apprehended in Arizona Desert in Two Days**

[Breitbart](#) [3/12/2019 10:56 AM, Bob Price, 2015K] reports Yuma Sector Border Patrol agents apprehended nearly 750 migrants in the southwest Arizona desert over the weekend. The migrants simply walked through the Colorado River vehicle barriers near Yuma, Arizona, and surrendered to agents, according to U.S. Customs and Border Protection officials. Agents identified 87 percent of the migrants as Guatemalan nationals. "Yuma Sector agents provided medical treatment to 137 illegal aliens, either through medically certified agents, contract medical personnel at the stations or by transporting the subjects to local hospitals," CBP officials said in a written statement. CBP officials reported that Yuma Sector witnessed a 230 percent spike in the apprehension of Family Unit Aliens. The apprehension of Unaccompanied Alien Children also jumped by 36 percent when

compared to year-to-date numbers from the first five months of Fiscal Year 2018. "Smugglers and traffickers have caught on that the outdated laws, lack of resources, and bad court decisions effectively give them a 'free ticket' into America," U.S. Homeland Security Secretary Kirstjen Nielsen told the House Homeland Security Committee last week. "Make no mistake: the problem is getting worse."

**[AZ] 400 migrants detained in Arizona after mumps, chickenpox exposure**

[KTAR](#) [3/12/2019 8:00 PM, Staff, 29K, AZ] reports that federal immigration authorities have quarantined more than 400 migrants in Arizona detention centers due to an exposure to two highly contagious diseases. Yasmeen Pitts O'Keefe with U.S. Immigration and Customs Enforcement told KTAR News 92.3 FM that 407 detainees in Arizona were isolated as of March 7. The majority of the detainees -- 345 -- were separated after an exposure to mumps at La Palma Correctional Facility in Eloy. Another 59 migrants were quarantined in the same facility due to a chickenpox exposure. Three detainees were isolated at the Florence Detention Center in southeast Arizona after an exposure to chickenpox. More than 2,200 people exposed to a mumps outbreak at facilities in Louisiana and Colorado were put under a 25-day quarantine. A spokesman told The Associated Press that 236 detainees have had confirmed or probable cases of mumps in 51 facilities in the past year. There were no reported cases between 2016 and 2018 at any ICE facilities. There are nearly 47,000 immigrants currently detained around the country, according to an ICE spokesman. "ICE strives to ensure people in our care are treated with compassion and we work to get them back to health as quickly as possible while mitigating the spread of this and all diseases," an agency spokesperson said in a statement.

**[CA] Mother Separated From Family and Detained by ICE Told She Would Be "Put In the Hole" If She Didn't Stop Crying Over 'Horrible Treatment'**

[Newsweek](#) [3/12/2019 10:30 AM, Chantal Da Silva, 2656K, NY] reports a group of immigrant parents who had been previously separated from their children at the U.S.-Mexico border under the Trump administration's "zero tolerance" policy had been detained by the U.S. Immigration and Customs Enforcement agency for more than a week after arriving at the border, desperate to seek asylum and be reunited with their children, immigration advocates say. Al Otro Lado, a California-based group offering legal services to immigrants, said that as many as 17 parents are still in ICE custody more than a week after they were initially detained on March 2. As Newsweek previously reported, the parents had come to the U.S. as part of a group of 29 and had been deported after they were separated from their children last year. While the Trump administration has been working to fulfill a court order to reunify the hundreds of families separated at the U.S.-Mexico border last year, Al Otro Lado said separated parents had been let down once again, as these 17 mothers and fathers remained in detention fearing that they would never see their children again. According to Al Otro Lado, some of the separated mothers who were detained at the Regional Detention Facility in Calexico, California, had also described "horrible treatment" from members of ICE and the U.S. Customs and Border Protection agency. ICE did not immediately respond to Newsweek's request for comment. Previously, ICE spokesperson Jennifer Elzea told Newsweek that the agency could only comment if asked for details on specific cases. Elzea also said that questions regarding any children who had yet to be reunited with family or released to a sponsor in the U.S. must be referred to the Department of Health and Human Services.

**[CA] Bay Area Cambodian Refugees Face Deportation**



[NBC Bay Area](#) [3/13/2019 1:45 AM, Cheryl Hurd, 90K, CA] reports that a group of Cambodian refugees living in the Bay Area, many who spent their entire lives in the United States, are facing deportation. The group received a summons to show up to the U.S. Immigration and Customs Enforcement office in San Francisco where they will likely be detained. Hay Hov has been in the country for over 30 years and will have to report to the immigration office Wednesday morning where he should be prepared to be detained, according to his attorney. Last month, Hov got a letter telling him to report to ICE. He could be deported back to Cambodia, a country he hasn't set foot in since he was 6 years old. The Trump Administration has been pressing Cambodia and a few other countries to take back their deportees. Hov has reached out to Governor Gavin Newsom's office, asking for a pardon so he can stay in this country. He's also met with the staff of both California senators. [Editorial note: consult source link for video]

**[CA] Undocumented Immigrant with Criminal History Arrested in Connection to Woman's Death in San Jose**

[NBC Bay Area](#) [3/12/2019 2:34 AM, Staff, 90K, CA] reports the 24-year-old "transient" who was arrested in connection with the brutal slaying of a 59-year-old woman in South San Jose last month is an undocumented immigrant with a long criminal history. Suspect Carlos Eduardo Arevalo Carranza, a Salvadorian national, was arrested Monday and booked into jail for murder, officials said. There were at least six prior occasions when Carranza was arrested, and immigration agents filed a detainer asking to be notified if he was set to be released. On all six occasions, two in Los Angeles and four in Santa Clara County, Carranza was released without anyone notifying U.S. Immigration and Customs Enforcement — as is often the policy with sanctuary cities and counties. Erik Bonnar, an acting field office director for ICE, said Carranza has been arrested numerous times for criminal activity and convicted of more than 10 crimes in the past three years. ICE lodged a detainer with the Santa Clara County Jail on Carranza after he was arrested in San Jose. Preliminary information suggests this is at least the tenth detainer ICE has lodged with local California law enforcement agencies on Carranza since 2016, Bonnar said. "All nine known previously lodged detainers have been ignored and have allowed Arevalo-Carranza back onto our streets to re-offend," Bonnar said. "How many more people have to be killed or injured before California lawmakers will open discussions to revise the state policy prohibiting local law enforcement agencies from working with ICE to apprehend dangerous criminal aliens?" "It's unfortunate that our communities face dangerous consequences because of inflexible state laws that protect criminal aliens. These sanctuary policies have unintended, but very real, and often tragic consequences to public safety." [Editorial note: consult source link for video]

Reported similarly:

[FOX News](#) [3/12/2019 10:20 PM, Paulina Dedaj, 9216K]

[San Francisco Chronicle](#) [3/12/2019 8:26 PM, Staff, 337K, CA]

[KRON-TV 4 San Francisco](#) [3/12/2019 5:54 PM, Rob Fladeboe, 98K, CA]

**{End of Report}**